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Book 211









OBSERVATIONS  
ON THE  
POLITICAL CHARACTER AND SERVICES  
OF  
PRESIDENT TYLER,  
—  
AND  
HIS CABINET.

~~~~~  
By A NATIVE OF MARYLAND.  
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—REMEMBER THAT THE WAYS OF HEAVEN,  
THOUGH DARK, ARE JUST; THAT OFT SOME GUARDIAN POWER  
ATTENDS UNSEEN, TO SAVE THE INNOCENT!  
BUT IF HIGH HEAVEN DESIRES OUR FALL—O LET US  
FIERMLY AWAIT THE STROKE, PREPARED ALIKE  
TO LIVE OR DIE.—*Brown's Barbadoes*

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P. FORCE, PRINTER,  
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## P R E F A C E .

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THE present work professes to be a review of the political character and services of the President and his distinguished Cabinet.

In preparing the following pages for the press, the author was convinced, that whatever, particularly in such a momentous crisis of national affairs as the present, may tend to promote a correct knowledge of the intellectual abilities, public services, and political principles of our statesmen, must prove useful to the people. We estimate the personal merits of others with reference to the common faculties of mankind. The effects of splendid genius, in active or speculative life, are correctly measured, not so much by their true elevation, as by the altitude to which they ascend above the level of their age and country.

In a political struggle, in relation to the ascendancy of particular men or measures, one who is truly devoted to his country may be allowed to remain silent; but when the great interests of the nation are at stake, and those interests sought to be affected by prostrating the high character of individuals connected with the administration of its affairs, it becomes every man to act with firmness and resolution, more especially at this crisis, when the examination of questions in almost every discussion in Congress, is made the vehicle for covert insinuation, and for raillery against the distinguished individuals at the head of the Government; when disgraceful allusions in the discussions in the public prints are followed up by keen reproaches and bold accusations; when the public are taught, with unwearied and malicious industry, to look upon them as corrupt men, or ignorant statesmen. Although the falsehood and malevolence of such charges may be visible to many, yet it may happen that such continual drippings may in time make an impression on the public mind, and, if not seriously counteracted, will probably alienate, to some extent, the respect and confidence which

they have heretofore so extensively enjoyed, and which it is the nation's interest, as well as their own, that they should never lose.

In sketching the political services of our distinguished statesmen, we cannot go too much into detail. The work, however, would be too extensive were we to give a full view of their conduct in all the transactions to which they have been a party more than twenty-seven years of public service, the greatest part of them employed in the most important trusts connected with the vital interests of the country; the author has, therefore, confined himself to such prominent facts only as are necessary to convey a distinct idea of the nature and extent of their services.

The utility of a work of this description, depends in a great measure on arrangement of facts. Method, however, is useful only so far as it conduces to perspicuity. Too strict an adherence to methodical distribution, defeats the end which it is meant to obtain.

Whether these sketches shall in any measure answer the object designed, must be decided by the public mind. The author is fully confident, however, that he has spared no labor; and he hopes that these hasty delineations will have the effect of counteracting falsehood, and establishing in the reader's mind various and important truths, as regards the history of the public men now at the head of the Federal Government.

# POLITICAL SKETCHES.

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No. I.

## OBSERVATIONS ON THE POLITICAL CHARACTER OF JOHN TYLER, PRESIDENT.

All safety rests on honest counsels: these  
Immortalize the statesman, bless the state.—YOUNG.

WHILST we deplore the loss which the country has sustained in the death of William Henry Harrison, it is matter of great felicitation that his mantle has fallen on the shoulders of *one* who so eminently promises to carry out the principles which brought the great Whig party in power. But scarcely is he seated in power—before his principles are developed, ere the excitement of the last conflict is subsided—the Opposition, with a spirit unparalleled, are striving to impair his weight of character, and lessen the public confidence in his abilities and patriotism.

That *political conflict*, under every form, is an evil greatly to be deprecated, will readily be allowed; but when the passions are irritated and inflamed by resentment; when to these are superadded the love of power and the thirst of revenge, we feel from the sentiments of our nature, a sympathy with those who engage in the contest; which, in victory, elevates and expands, and even amidst discomfiture and disappointment, soothes and consoles the mind. But when these incentives are withdrawn; when the ardor and patriotism of the party are relinquished for a cold, calumniating, and extinguishable hatred; when the laws and the constitution, the establishment of great principles, and the permanency of our institutions, are no longer objects of regard, and a powerful *party* devotes itself to lie in wait for opportunities to assail the Administration with advantage, and to protract their own dying agonies, we sicken at the cheerless and deathlike prospect, and feel no emotions but those of horror and disgust. From the infirmities of our nature—from

the structure of our institutions—party contests are inevitable. But the common interests, and the common good of the country, require that such struggles should be speedy and decisive. The thunder may roll, and the bolt may fall; but when the storm is past, let us hope once more to see the atmosphere clear, even to the brightness of day.

Freedom is supposed by many who understand the philosophy of Government, to derive great security from the existence of a regular opposition; an expedient which is, in some respects, both the offspring and cherisher of faction. That a President should be opposed when his measures are destructive to his country, can admit of no doubt; that a systematic opposition should be maintained against the President, without regard to the principles he may profess, or the measures he may propose, which is intended by a regular organized Opposition, appears to be a most corrupt and unprincipled maxim. When a country is thus convulsed into parties distinguished by no leading principle, however warm and animated the discussions may be, it is plain they display only a struggle for power. If a measure be good, it is of no importance to the nation from whom it proceeds; yet it will be esteemed by the Opposition a point of honor not to let it pass without throwing every obstacle in its way. In making these remarks, as regards the opposition to the Government, I am far from discountenancing a regular opposition, based upon principle. We cannot forget that the exercise of power, in whatever hands it is placed, will infallibly degenerate into tyranny, unless it is carefully watched. During the administrations of General Jackson and Mr. Van Buren, the then ruling party made it their business to conceal abuses, to suppress investigation, to stifle complaints, and inculcated on the people, as their duty, a quiet and implicit submission to the direction of those at the head of the Government. These are the maxims by which free states are enslaved. If that freedom which is the birthright of the American people is destined to go down to succeeding generations, it must result from the prevalence of an opposite spirit; a lofty enthusiasm, an ardent attachment to liberty, and an incessant jealousy of the tendency of power to enlarge its pretensions and extend its encroachments.

These remarks induce me to take a brief glance at the political character of the President and his Cabinet.

An Administration which yields protection, and abstains from oppression; which maintains order, and secures liberty; which preserves national faith; whose basis is the people, and whose object is their happiness, is the great *desideratum* in conducting the affairs of a nation. To give health to the natural body, the blood must flow with regularity, and in even proportion to all its parts; so, to give vigor and vital energy to the body politic, the attention of Government must be directed to every section of the country. The interests of all must be consulted. The message of President Tyler contains principles which sustain me in the assertion, *that all inte-*

*rests* will receive his protection, so far as the constitutional powers with which he is invested will allow. He recommends the practice of every useful economy, and not the imposition of unnecessary burdens; to cultivate peace, maintain commerce, the fortification of the sea-board, the preservation of the public faith, and he announces his determination to keep within the pale of the Constitution, and to cherish the Federal Union. What part of this message exhibits evidence of a disposition to engage in the labors of general destruction, which characterized the efforts of the two preceding Administrations? What part of it is hostile to the Federal Union, to property, peace, quiet, or national happiness? Is there any thing in his conduct, or in the opinions entertained by him, to justify the furious invectives that have been pronounced against him? Or, is there, in reality, any thing in this address to alarm our fears, to endanger our Union, or to bring down upon us those disastrous consequences, which vivid and phrenzied imaginations have depicted? If the spirit and design of this message were to be inferred only from the angry commentaries to which it has given rise, we should imagine nothing less than a most unholy combination for the purpose of destroying our rights, and involving us in difficulties and embarrassments. Who is President Tyler? Early in life, we find him, by his persevering efforts, storing his mind with knowledge, and his heart with virtue, and thus rendering himself worthy of any station which his country could bestow; and the wisdom and fidelity with which he has executed every trust, are sufficient eulogies on his character. Such a man will never disgrace, but must shed lustre on the station which he now occupies. He has risen to his present station by a regular gradation of honors. Scarcely had he reached the age of twenty-one years, before he was elected by the people of his native county to represent them in the Legislature of Virginia. Here we find him zealous in his endeavors to effect the permanent prosperity of his native land: developing at an early period the science of government, and successfully promoting the adoption of measures calculated to advance the interests of the State. After remaining in this body a few years, he was elected to Congress. In this body he distinguished himself by several eloquent speeches. These were the virgin congressional efforts of Mr. Tyler. They were able and dignified; and afforded promise of talents, which, as they ripened into greater maturity, have successively pointed him out for a seat in the Senate of the United States; for the Governor of Virginia; and, subsequently, to occupy the station of Vice-President.

As Governor of the commonwealth of Virginia, he devoted himself to the development of her resources, to the maintenance of her laws and constitution, and to those political principles with which her renown is so gloriously identified.

In the year 1826, he was called by the Republicans of that ancient and renowned commonwealth to the Senate of the United

States. His talents and political integrity secured for him, among those with whom he acted, a commanding influence; and his industrious application to the public business, the independence of his character, and the urbanity of his manners, were followed by the respect and esteem of all parties in that body. His election to the Senate of the United States, is a sufficient proof of the estimation in which he was held by the Republican party. During his term of service in this body, great and momentous questions of civil policy and constitutional law were discussed and investigated. Probably at no period since the existence of the Government, were weightier matters controverted, and a greater amount of talent called into requisition, than in the years of 1830, '31, '32, '33, and '34. The deepest excitement pervaded the country.

In December, 1832, General Jackson issued his celebrated Proclamation. It was designed to arrest the proceedings of the State of South Carolina, which were viewed as hostile to the existence of the union of the confederated States. With the view of carrying out his plans as laid down in this State paper, he called on Congress to invest him with larger powers. By many, distinguished for their love of country, the bill commonly called "the *force bill*," was deemed subversive of the rights of sovereign States. At this moment, Mr. Tyler came forth with a mass of information, lucidly arranged, and carefully and logically bodied forth, at once creditable to his talents as a speaker, and confessedly useful to the cause which he espoused, and the principles which he vindicated.

In 1834, in consequence of the violent usurpations of General Jackson, the Senate of the United States adopted a resolution, censuring the President for the exertion of unconstitutional powers. Mr. Tyler, ever faithful to those ancient principles of Virginia, which were then sunk to the lowest depression, stood by the Constitution, and asserted its mandates. The resolution was adopted. Shortly thereafter, the Administration gaining the ascendancy in that body, a resolution was introduced by a Senator from Missouri, to *expunge this resolution* censuring the President for exercising unconstitutional powers, and thus violating this sacred instrument. As Mr. Tyler had contributed his support to the adoption of this resolution, he resisted its *expunction*. The mutilation of the journals of the Senate he opposed with the greatest energy. During this alarming crisis, we find him distinguished by his fidelity to the interests of the country—by his stern devotion to his duty, and his inflexibility of principle.

When instructed by that body from whence he derived his power as Senator of the United States,—and which every man is bound to consider the true representative of the will of the people of the State—to support the Expunging Resolution, he took the alternative presented to the choice of every high-minded citizen. He acted as a man of principle and honor always acts. He could not obey, and *he resigned*, in order that the legislative body which instructed

him might supply his place with one who could conscientiously obey its instructions. By this means he preserved his own integrity, without violating a duty of a representative of the people. He conducted himself like a faithful public servant, who, being commanded to do an act which he cannot approve, disdains to receive any longer the wages of a master he refuses to obey. He sacrificed a station as honorable as any which presents itself to the ambition of a citizen of the United States, and voluntarily sought retirement from a scene which he embellished by his highly cultivated talents, and ennobled by his lofty and uncompromising integrity.

Such an act of devotion to the great principle of representative responsibility, is one that deserves to be recorded, not only for its magnanimity, but for its scarcity.

It is the character and habit of the President not to yield a blind acquiescence to the opinions of any individual. His judgment was not satisfied with the propriety of the measure of removing the deposits from the Bank of the United States. He foresaw the consequences it would produce, and desired an opportunity to investigate and reflect upon it. Such an opportunity he made an effort to obtain, and, when that effort was successful, rather than unite with his political friends in supporting a measure pregnant with results so extensive and important, without a full conviction of its necessity or constitutionality, he chose, by manly independence, to hazard all the imputations to which his vote with the minority might possibly subject him. Those who acted with him were too well acquainted with the purity and firmness of his principles, political and moral, to misrepresent his motives, or to arraign the propriety of his conduct. His opposition to this measure, and to the Expunging Resolution, elevated him greatly in the confidence of the Whig party. Although he had been ostracized—banished from the Senate of the United States—by a faithful adherence to the doctrines of instruction, his virtues and independence as a statesman still continued to hold a firm grasp on the affections of the people. The Whig party, cherishing for him an elevated regard, placed him on the ticket with the late Gen. William Henry Harrison, as their candidate for the Vice Presidency. With that distinguished individual he was elevated to office by almost acclamation, and by the sudden death of that illustrious statesman, he now fills the important office of President of the United States.

Possessing a philosophic comprehension of mind, which, leaving the beaten road of politics, adapts itself to new situations, and profits by the vicissitudes of opinion, equally removed from an attachment to antiquated forms, useless innovations, or exploded systems; capable of rising above the emergency of the moment to the most remote consequences; combining the past, the present, and the future; and knowing how to defend with firmness, or concede with dignity—these are the qualities which the situation of the country renders indispensable in her Chief Magistrate.

Such is the man who is controlling the political power of the Federal Government. The grounds of the confidence of the Whig party in his administration are simple. The history of his life is a conclusive proof that his talents are fully adequate to the station. The integrity and independence of his character, and the qualities of his mind, temper, and manners, render him, it is believed, worthy of the station, and we feel satisfied that he will discharge the duties, with honor to himself, and advantage to the people. His experience has, at least, been considerable. His political views are well known. They are decidedly democratic, and they would induce him, as far as practicable, to govern his administration by the principles expressed in the inauguration of the illustrious Jefferson. In this respect, his friends are firm in the belief that his administration will be more distinctly marked, and more congenial to the wishes and true interests of the people, than either of the two preceding Administrations.

A NATIVE OF MARYLAND.

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No. II.

OBSERVATIONS ON THE POLITICAL LIFE AND SERVICES OF  
DANIEL WEBSTER, SECRETARY OF STATE.

When he first devoted himself to the public service, he considered how he should render himself fit for it; and this he did by endeavoring to discover what it was that gave his country the rank it holds in the world. He found that its prosperity and dignity were principally, if not solely, from two sources: its Constitution and Commerce. Both these he spared no study to understand, and no endeavor to support.

*Mr. Burke's speech at Bristol, in 1774.*

*Ut neque vera laus et detracta, neque falsa afficta esse videatur.*—CICERO.

There is not a better criterion of true greatness than the nomination, by the Chief Magistrate, of the high officers of State; and when these officers necessarily become his confidential advisers, accessible to him at all times, and on all occasions, and thus become the observers of his policy as well as his accomplishments, the ordeal becomes still more severe. If he appoint men of loose morals, his own virtues become a matter of suspicion; and if he appoint men of feeble minds, it may be permitted to doubt his talents or patriotism—talents which alone enable him to discover the merits of others, and patriotism which can alone impel him to divide the Government with men of the same spirit.

When General Harrison took his seat as the President of the United States, he composed his cabinet of men of unimpeached virtue and of acknowledged talents. In this act he presented the nation with the strictest pledge of his determination to be directed by an upright policy, and to call to his aid the best talents of the country. Had he been prompted by the jealousy of a grovelling mind, he would have surrounded himself with men of moderate powers and of plastic tempers. Then he would have acquired the distinction of wielding the Government alone, and might have governed with absolute sway. But, above the petty admiration of tyrants, with his eyes fixed on the public welfare, he called to his aid men incapable of being seduced from the path of rectitude, or of sacrificing their independence. President Tyler, on his ascension to power, impressed with the importance of possessing a cabinet elevated in the scale of public estimation and intellectual endowments, determined, and wisely so, to retain the present cabinet, who, like the indicator of ornithology that leads the way to the collected honey of the forest, must, and will conduct the people of the United States to the highest enjoyment of prosperity and happiness.

The nature of the Executive duties of a great nation is such as not to admit of discharge by one man. They are so various and extensive, that the exertions of an individual, however splendid or mighty, are inadequate to the task of fulfilling them. Although, therefore, the theory of the Government vests in the President the whole Executive power, qualified in some instances by the advice and consent of the Senate, yet it is no less manifest, from the legal provisions establishing the several departments, from the reason of the thing, that a division of power was contemplated among subordinate agents. Hence the establishment of six great departments, each possessed of a supreme control over a circumscribed sphere of delegated powers.

At the head of each of these departments the President was required, with the approbation of the Senate, to appoint individuals to take charge of the business belonging to each of the divisions of his power. It is apparent, from this feature of the Government, that much depends upon the characters called upon to fill the offices; and particularly of those on whom are devolved the superintendence of the six great departments. To the Secretary of State is committed the conduct of our foreign relations, on which the peace and prosperity of the nation depend; to the Secretary of the Treasury is committed the management of the whole revenues of the Government; to the Secretaries of War and Navy are committed all the duties attached to those mighty engines of national defence; and to the Postmaster General every thing pertaining to the transmission of the mails, &c. Besides the distinct discharge of those great duties, these high officers, in conjunction with the Attorney General, as members of the cabinet, are called upon to advise the President in all cases of great moment, and to co-operate in the taking

of effectual measures in every interesting crisis of affairs. From these considerations, the formation of a ministry has been deemed, under all Governments, a work of the greatest delicacy and difficulty; and so arduous as to have been reputed a criterion of talents of the man at the head of affairs. In proportion to the freedom of the Government does this difficulty increase; for, under free governments, it is not only necessary that men of talents should be appointed, but likewise that they should enjoy the confidence of the people, without whose hearty co-operation it is impossible for such a Government to be efficient or respected.

When, therefore, the late Chief Magistrate assumed the reins of Government, it was with no misapplied solicitude that the nation looked forward to the designation of these great officers of State. Mr. Webster was called to preside over the State Department; Mr. Ewing, of Ohio, as Secretary of the Treasury; Mr. Bell, of Tennessee, over the War Department, and Mr. Badger, of North Carolina, over the Navy; Mr. Granger, of New York, as Postmaster General; and Mr. Crittenden, of Kentucky, as Attorney General.

Among the distinguished citizens of the United States, there is scarcely one who, from his character and talents, as well as his political principles and conduct, merits elevated station, and who has a stronger hold on the confidence and on the affections of the people, than the Secretary of State. From the period of his first appearance in public life to the present moment, his course has never altered, and his whole career has been characterized by eminent services and the most ardent patriotism.

He has been, without intermission, the decided Whig, the firm Republican, and the strenuous adversary of all invasions of liberty. Possessed of a spirit that disdains to yield to circumstances, he never swerved in his political faith, even in the days of the greatest infatuation. But his manliness was tempered with a moderation that, while it asserted its own rights, left undisturbed the rights of others. Quick in his perceptions and prompt in his decisions, he has long been considered as the man of business, and, as a consequence, so far eminently qualified for the discharge of duties not admitting of delay.

In a season of faction, strife, and selfishness, and suspicion, he has passed from subordination to eminence, without deviating for a moment from the path of independence, openness, and honor; has condescended to no solicitations, mixed with no sordid purposes, controlled no political alliance, participated in no intrigue. Persecuted by his enemies he has not sunk into submission; flattered by his friends, he has not become inflated with self-love.

To attain a high station in public confidence, which is so honorable in a free country, it is necessary that one should devote a long life to the study of her laws and institutions, her history, her domestic and foreign relations, the principles of her public policy, the temper of her people, the genius of her political system, and the spirit of her government; nor even then may he expect this high eleva-

tion, until he has exhibited the possession of that profound talent, those political principles and great moral qualifications which alone can adorn her public councils, and perpetuate the civil liberties of the country. I would ask, without the fear of receiving any answer that would disappoint me, whether the Opposition know any man who surpasses Mr. Webster as an enlightened statesman; who for the last twenty-five years has had more experience of state affairs, and who has given greater proof of steady attention to public business; who possessed, in a greater degree, all those qualities which go to qualify a man for great affairs; whose transcendent talents makes him an exception to almost any rule that requires uncommon powers of intellect?

The profound and varied learning, the pure and refined taste, unbending moral courage, the conscientious attention to the points of duty, his dignified intercourse with his fellow-citizens—these are some of the peculiar features which have marked his character and conduct, and have insured him the affectionate regard of the people of the United States.

Gathering from the monuments of ancient experience the lessons of wisdom which might guide his course; looking abroad on our own times, and those not uneventful, to check by practice the application of wrong principles; and exercising a sublime judgment, which enables him to foresee with perfect accuracy of discernment the consequences of a proposed operation, he stands on all occasions on prominent ground, and thus imparts to his opinions great and commanding influence.

His profound acquaintance with the code of international law, which knits the nations of the earth together, his wonderful ability for comprehending and reasoning, his quickness of apprehension, his faculty for analyzing a subject to its elements, for seizing on the essential points, for going back to principles and forward to consequences, and for bringing out in an intelligible and sometimes a very obvious form what appears obscure or perplexed, are some of the distinguishing traits of Mr. Webster's mind, and so eminently fits him to preside at the head of the State Department.

Few men have ranged over a more extensive domain of knowledge. His vast genius, seconded by a memory of extraordinary tenacity, has rendered him master of every department of knowledge appertaining to the code of national law. In general literature, history, and commercial jurisprudence, he is one of the most distinguished of our fellow-citizens.

As his extensive reading and mature study of every thing connected with the operations of the Government, fully entitle him to pronounce an authoritative opinion, the result is, that his views are always offered with the confidence which a thorough conviction of their accuracy necessarily produces, but, at the same time, with the modesty which ever attends upon true greatness.

He investigates every subject with a commanding and compre-

hensive spirit, with a tone of general justice, a full knowledge of maritime usages, and a disposition to consider the laws of nature and of nations as the unwritten law of the world, rather than the municipal code of a single nation; and he draws from all sources, ancient and modern, the best and soundest principles to aid, to illustrate, and confirm his own judgment. With him, the comprehensive learning of Grotius, and the elaborate examinations of Bynkershoek, the acute and the profound elementary principles of Vattel, the argumentative commentaries and luminous treatise of Rutherford, and the enlightened productions of other publicists of continental Europe, appear as perfectly familiar as the writers of his own country. He manifestly reposes upon them, even when he does not cite them; and transuses into his diplomatic communications whatever they afford of general doctrine or just interpretation, upon all questions involving principles of international law. In reading his communication to the British Minister, Mr. Fox, one scarcely knows which most to admire, the simplicity of his principles, the classical beauty of his diction, the calm and dispassionate spirit of his investigations, his firm and patriotic estimate of consequences, his deep indignation of wrong, chastened by habitual moderation, or that pervading knowledge of European controversies, and the principles which have led to their adjustment, and the deep insight into the spirit of war, and the duties and obligations of nations, recognising and acting upon the refined and civilized code of international law. This communication is replete with erudition, fine reasoning, acute distinctions, and solid principles, such as might well guide the sober sense of the cabinets of the European world upon important points of international law, and cast a strong light upon its oracles. Who has written with so much purity of principle, so consonant with the spirit of the age, such sound sense, such precise judgment, such practical propriety, on the leading points of an aggressive war? Who has treated the whole subject of international law, in throwing the shield of immunity over the shoulders of a man who executes the high behest of his sovereign, so fully, so profoundly, so truly, with a view to its justice and advancement, as Mr. Webster? In short, who possesses a more comprehensive experience, and a deeper knowledge of our foreign relations, or the principles which should form the basis of our negotiations with foreign powers? Of all the duties assigned to Executive agents, those attached to the Department of State are the most important. From their peculiar nature they require a mind not only of the first lustre, but likewise one regulated by habitual prudence. He who discharges them should, moreover, be possessed of the public confidence. A man more eminently combining these qualifications was not, perhaps, to be found, than Mr. Webster.

A state of continual peace is not to be expected. Little does he know of the condition of mankind, little does he know of the signs of the times on the other side of the Atlantic or on this, who sup-

poses the repose of the world is settled. The heaven is at work in Europe. Popular rights have never acquired such consistence and organization, individuality of being, and yet such universality of influence; such constant exertion, and such depth of hold on the interests and affections, on the sentiments and opinions of the citizen and community: they now exert a tremendous power in European affairs, and affect every possible relation of life. High are now the murmurs and complaints against the inactive disposition of the Government of England. The jealousy of the English Government towards Russian greatness, whose colossal mass of physical strength, and whose principles of policy, foreign and domestic, are so much to be dreaded, is daily augmenting. Austria is now engaged in contracting an alliance to aid her in the prosecution of her views of aggrandizement, and stands opposed to the policy of her great rival, France. An interference by any of the powers in the internal concerns of Turkey, will beget mutual jealousy and opposition. Our affairs with England are unadjusted, and threaten serious difficulties.

England is at this time the most formidable power in the world; she has the most numerous army and navy at her command. We, on the contrary, are the most growing nation on earth; most rapidly improving in those very particulars in which she excels. The question presents itself, will the greater power permit the less to attain its destined greatness by natural growth, or will she take measures to disturb her advancement? Those who know the history of nations, will not believe that a rival will look unmoved on this prosperity.

It has been said that nations have heads. Every statesman, and every one who loves his country, who wishes to maintain the dignity of that country, to see it attain the summit of greatness and prosperity, regards the progress of other nations with a jealous eye. The English statesmen have always so acted. Moreover, we have a Government of a new order, perfectly distinct from all which ever preceded it. A Government founded on the rights of man, resting, not on monarchical authority, not on prejudice, not on superstition, but upon reason. This is another source of jealousy.

At such a momentous period in the history of nations as this, it may be remarked, that it must be matter of congratulation indeed, that a man of Mr. Webster's transcendent talents has been called to preside over the State Department. It is to be presumed, that in all treaties or diplomatic communications with foreign countries, the influence of national attachments will induce him to promote, as far as possible, the welfare of the United States, and protect our national sovereignty as a vital right. It would, indeed, be a novelty in political history, that an individual who stands so deservedly high with his fellow-countrymen, should prostrate their rights and their power at the foot of a foreign prince. Gratitude, personal respect, love of power, lofty sentiment, and, in short, every motive which can actuate the human mind, operate to produce the most patriotic results

An acute and lively sensibility to every invasion of national sovereignty, of the rights of property, or of our commercial privileges, is one of the strongest characteristics of freedom in modern times; and there is no people on earth more distinguished for it than the citizens of the United States. Judging from the past, we may unhesitatingly predict that this spirit, which is prominent in the character of the people of the United States, has been thoroughly imbibed by our distinguished Secretary of State.

But the American people must be satisfied, from recent developments, that there is a disreputable plot to sacrifice the reputation of illustrious American citizens, whose names are entwined with all that is splendid and profitable in the history of American legislation, that the political friends of Mr. Van Buren may reign. These men boast that their presses and their pens exterminated Mr. Adams, and they fondly flatter themselves that, before the eyes of the nation shall be open to their selfish schemes and wicked combinations, they will bury Mr. Webster in the same political grave, and thus overthrow the Administration. We cannot understand the feelings of those who would level whatever has been most eminent among us—who would pluck down from the sphere in which the common consent of the people has fixed them, names which are inseparably combined with the annals and with the renown of the republic. Parties may be gratified by this temporary degradation; but America has an interest in the preservation of their fame. Mr. Webster has, of late, become the subject of the most vindictive persecution. While those who have had the most favorable opportunities of becoming acquainted with his public character have honored him with the most unequivocal tokens of their confidence and regard, he has been assailed by his enemies with a degree of rancor and vituperation unparalleled in the history of political strife. Language is ransacked, declamation exhausted, to raise the public indignation against him. It does not often happen that the sentiments of a historian are in unison with his own private character. Sallust employed the color of his eloquence to paint the depravity of the crimes which he describes; but his own morals were not free from reproach.

The impression of character on the public mind is intimately allied with that of principle; so that, in questions of policy, it is vain to expect men will condescend to be instructed by those whom they are taught to despise. The practice of misrepresenting the most illustrious men, has grown fashionable among us. With amazement and indignation we have witnessed an attempt of this kind on the character of the Secretary of State, made, if our information be correct, by Senators in Congress, and by a Governor in a distant State, and in the Opposition presses, in which every shade of imperfection which heated imaginations could invent, or ingenuity surmise, has been industriously brought forward for the purpose of sinking him in public estimation. Have they accomplished the object intended by

this studied misrepresentation? They have certainly failed in their malignant efforts. While the hatred entertained against Mr. Webster was already so violent as would seem to admit of no augmentation, his friends have been perfectly astonished at the littleness of soul, and the callousness to every kind feeling which could delight in mangling such a character.

The Secretary of State has mingled freely with parties maintaining opposite doctrines. Whether he has acted right or wrong in all the measures which he has been called on to advocate or condemn, it becomes not our province to inquire. That he approved himself to his own conscience, there is not the least room to doubt. Admitting his conduct in some instances to have been even objectionable, let it be temperately censured, but let it not obliterate from our recollection the patient self-denial, the unextinguishable ardor of patriotism, the immense labors, and the great success of this extraordinary man.

It may not, however, be unacceptable to the reader, that we should state, in a brief narrative, the leading events of his political career, marking the periods of his gradual advancement in public life, and collecting such facts and circumstances as may render it a faithful record of the principles of this illustrious statesman, and of the eloquence with which those principles were illustrated and enforced.

The political positions which Mr. Webster has occupied, present the consideration of three distinct eras. The first commences from his entrance into Congress, in 1813, and extends to 1816. The second comprehends the period from 1823 to 1827. The third era—the most glorious for the fame of Mr. Webster—the happiest for the destinies of the country—embraces the period which takes its date from the commencement of his Senatorial term, to its termination. These eras, each of them important, invite a separate consideration.

There have been few persons on whom was imposed, in equal degree, the difficulty of proving himself equal to the fame for eloquence and vigor of thought, which had preceded him to Congress, before he became a member of it. Throughout the session of 1813, that he sat in Congress, his attention was active and vigilant—his attendance constant; but, although alluring opportunities for the display of his great powers of mind were not wanting, he preserved strict silence. He seems to have devoted this first session to acquire the useful knowledge of the forms and rules of Congress.

In January, 1814, upon Mr. Eppes' proposition to establish a kind of conscription, Mr. Webster delivered a speech, sustaining the celebrity of his talents. To those whose recollections bear them back to the remote day on which the great statesman first started into political life, and those who have witnessed the matured brilliancy of his career, will alike feel delight in tracing to its source that rich stream of eloquence, which, for more than twenty-seven

years, has flowed, majestic and powerful, the pride and ornament of the nation.

To enable us to comprehend the conduct of a political actor, it is necessary to take a view of public affairs at the commencement of his agency, and to remark their progress and variations during its continuance.

When Mr. Webster first entered on the business of the nation, he found Europe convulsed by wars, and by internal dissensions. He found a portentous state of affairs existing, different from any thing which had appeared in the political horizon for many years, and which gave rise, while it continued, to political systems, views, and opinions at variance with the tranquil existence of Europe. He discovered a mighty power, displaying, under the pretence of establishing freedom at home and promoting it abroad, a spirit of gigantic and unparalleled ambition. He found, also, a powerful state in possession of a commerce of which the world affords no example; endeavoring to interpolate into the laws of nations, niceties and wayward distinctions, wholly at war with the peace and tranquillity of this country. The belligerent wanted her citizens for the defence of his existence; the neutral wanted them for profit. The belligerent assumed the right to reclaim his own subjects. Moreover, the British government undertook to interdict all neutral trade, which was not permitted in times of peace; to search neutral vessels on the high seas for contraband of war, and enemies' property; they declared the whole coast of the continent of Europe in a state of blockade, and, by a sort of argumentative reasoning, the substantial and very important right of prohibiting the people of the United States from trading with any other except Great Britain. A tacit acquiescence in pretensions thus lofty and comprehensive, would have been an abandonment of rights openly recognised, and a dereliction of the most important commercial interests of the country. It was contended, on the other hand, that the rights of internal commercial regulation in articles of an innoxious nature is one of the essential, inherent rights of every independent sovereignty, and, with the exception of trading to blockaded ports, or in articles contraband of war, every Government has a right to sell the surplus articles of its manufactures and produce to neutral merchants. The conditions proposed by Great Britain for the settlement of these conflicting pretensions being inadmissible, the Congress of the United States, in 1812, announced to the world a declaration of war.

It must be observed, that *Mr. Webster was not a member of the Congress that took this important step, nor a member of any other political body; consequently, he stands disconnected from any opposition to placing the nation in a hostile attitude to Great Britain.* But as his enemies find grounds of crimination in subsequent transactions, we will therefore briefly review the part he took in the measures connected with the prosecution of the war, and ascertain whether he is properly chargeable with the imputations which have been made against him.

We have now reached that precise point of distance from the events of the late war, when the history of it may be sketched with the greatest advantage. It is sufficiently remote to open all desirable access to every repository of information regarding it, and to sanction the utmost freedom which justice may require, in the delineation of the conduct of individual actors in it. But what is of far higher importance, the reader is now able to comprehend the relative situations of those engaged in the prosecution of the war, unobscured by the passions and prejudices of factions, and to make a just estimate of the real merits of the part performed by each of the distinguished men in the Congress of 1813 and 1814.

Dr. Linn, of the United States Senate, has taken a prominent part in arraigning the conduct of the Secretary of State at the bar of public opinion. In an attempt to trace the causes which led to the overthrow of his party, and to point out the defective policy of the dominant party in all its true points, nothing is more requisite than a large and catholic spirit, wholly emancipated from the trammels of party, joined with extensive knowledge and a discriminating judgment. In both of these qualities he is deficient. He looks at every thing so entirely through the medium of party, that, though he cannot be said to be absolutely blind, he is quite incapable of seeing afar off. His remarks are often shrewd, such as indicate a mind awakened attentively to the scenes which have passed before him. He is sometimes acute, never comprehensive; inaccurate in details; with little capacity for tracing the consequences or unfolding the energy of general principles. There is a complication in his views quite incompatible with perfect purity of intention. He must be regarded as an artful, bigoted partisan, acting under the disguise of patriotism. Severe as this may seem, we are persuaded our readers will acknowledge its justice, when they are apprised of the leading statements and positions contained in his bill of indictment against the Secretary of State.

From the period of his taking charge of the State Department, the Opposition party have made a systematic attack on his conduct and principles. It has been declared that they could never rest satisfied, until he was displaced from office, as a punishment for what they considered and pronounced to be his *anti-republican doctrines*. All former acts of his political life have been brought forward in array against him. He has been abused without measure for his unchastened ambition; he has been accused of having opposed the late war.

In relation to his opposition to the war, there are few of the indisputable events in the life of Mr. Webster which have suffered more diversified and wanton mutilation than this portion of his political conduct.

It was impossible for his enemies to have formed a charge more destitute of foundation, more easily refuted, or more open to the chastisement of severe reproof.

In styling Mr. Webster as standing in opposition to the last war, if the Opposition intend to impute to him a want of love of country, it must be pronounced a wicked calumny, and we challenge the production of the proof which sustains the imputation, or which convicts him of hostility to the liberties of his country.

On the 15th day of October, 1814, Mr. Webster took his seat for the first time, during that session, in the Congress of the United States. In that body, the journals bear ample testimony that he sustained, on many occasions, the measures of the Administration, and voted with the Republican party. By an examination, it will be discovered that his name stands recorded among the votes of Macon, Cheves, and others who were strongly attached to the administration of Mr. Madison. He supported the proposition to augment the naval power. He wished to infuse into this great arm of national defence more formidable terror. He wished to provide a naval power that would give security to our commerce, and to protect the country against all the accumulating perils to which the nation might be exposed. He wished to lay the foundation of a system which should be adequate to the full exigencies of the crisis; and combine two apparently irreconcilable objects—of relieving the people from all future pressure of taxation, by extending security to our commercial operations, and thus augmenting our revenue; and exhibiting to the enemy resources by which we might defy his implacable enmity, to whatever period the war might be prolonged. Mr. Webster knew full well, that in conjoint expeditions fighting comprises but a part; and if there be a contention between the army and navy, it is who shall have the greatest share of danger. The safety and success of the troops often depend on the active co-operation of the navy to supply all their wants. An American army in a distant land without a fleet to attend it, is nearly as much at a loss as that fleet would be without a sufficient depth of water. His hopes for carrying out these plans for the protection of our extensive coast, were strengthened by collateral considerations. When he looked to the great increase of our maritime power; when he contemplated the additional naval triumphs that we had obtained; when he looked to the brilliant victories of our armies, gained over the flower of the troops of Great Britain, which, in the opinion of many, were invincible—when he reflected upon these glorious achievements, he had the satisfaction to see that we had added strength to our security, and lustre to our national character. The navy had covered the country with renown; scarcely one fleet ventured to forsake the ports of Great Britain, that did not supply new laurels to the gallant defenders of the country. The splendid achievements of the navy had enabled the country to combine new measures of resistance against the enemy. Its exploits had imparted new impulse to the country, new courage and confidence. Hence Mr. Webster's energetic efforts to augment the naval power of the country.

Let me appeal to every one if this conduct was not fair, just, and

reasonable; if it did not bespeak sincere intentions, and an anxious wish on the part of Mr. Webster to assist in the prosecution of the war, consistently with his views of national policy. And is it not entitled to a candid reception?

As the maritime rights of the United States had been intrenched upon by Great Britain—as Great Britain sought to inflict a coercive jurisdiction upon the commerce and navigation of the United States; and basing her actions upon pretensions unknown to the laws of nations, undeveloped in the elementary work of the civilian, nor exemplified in the maritime usages of any country, Mr. Webster, although coming from a district of country opposed to many of the leading measures of Mr. Madison's administration, it most assuredly redounds on his honor and patriotism, that he gave his exertions towards carrying out a great measure of that administration, and advocated the increase of the navy, with the view of assailing the enemy on that very element where those wrongs had been inflicted, and forcing Great Britain to surrender her lofty and comprehensive pretensions to maritime supremacy, and submit to our overtures for a fair and honorable peace.

When Mr. Monroe's bill for a sort of conscription was introduced, he joined with Mr. Eppes, a distinguished republican representative from Virginia, (who was elected to Congress over Mr. Randolph, in consequence of the hostility of the latter to the Administration,) in defeating a project which, except in a moment of great anxiety and excitement, would probably have had no defenders. But when, on the other hand, the bill for "encouraging enlistments" was before the House, he held, in January, 1814, the following strong and patriotic language:

"The humble aid which it will be in my power to render to measures of the Government shall be given cheerfully, if Government will pursue measures which *I can conscientiously support*. If, even now, failing in an honest and sincere attempt to procure a just and honorable peace, it will return to measures of defence and protection, such as reason and common sense, and the public opinion all call for, my vote shall not be withheld from the means."

Again: "Apply that revenue to the organization of your navy. That navy will in turn protect your commerce. Let it be no longer said, that not one of our ships, built by your hands since the war, yet floats upon the ocean. Turn the currents of your efforts into the channel which *national sentiment* has already worn broad and deep to receive it. A naval force, competent to defend your coast against considerable armaments, to convoy your trade, and perhaps remove the blockade of your rivers, is not a chimera. It may be realized. If the war must continue, *go to the ocean*. If you are seriously contending for maritime rights, *go to the theatre where alone these rights can be defended*. *Thither every indication of your fortunes points you*. *There the united wishes and emotions of the nation will go with you*. *Even party divisions,*

*acrimonious as they are, cease at the water's edge. They are lost in attachment to national character, on the element where that character is made respectable.* In protecting naval interests by naval means, you will cover yourselves with *the whole power of national sentiment*, and may command the whole abundance of the national resources. In time, you may be enabled to redress injuries in the place where they may be offered; and, if need be, to accompany your flag throughout the world with the protection of your own cannon."—*Speech*, 1814, '15.

Even the support of this national measure does not protect him from imputations unworthy of his public life.

But Governor Polk, of Tennessee, who has taken an active part in exhibiting specifications against Mr. Webster, sees nothing in the support of this measure, to augment the naval power of the country, to commend. He is as anxious to avert praise as to apply censure; and employs in his service, when facts cannot be found, misstatements or hypotheses, following the ancient rule of malice:

*Flectere si nequeo superos, Acheronta movebo.*

If Governor Polk be so hostile to all of those individuals who opposed the declaration of war, he should, for the sake of consistency, carry out his views. He should embrace in his denunciations those who opposed the war on the floor of Congress. Who, I ask, denounced the Administration on account of the declaration of war? Look at the opposition of Mr. Randolph! Read his speeches in Congress, and his letters to his constituents—do they not breathe hostility to the war, and to Mr. Madison's administration? Mr. Randolph voted against the resolution reported by the Committee of Foreign Relations, "that an additional force of ten thousand irregular troops ought to be immediately raised to serve for three years." Did not Mr. Randolph vote against the declaration of war? Did he not state, on the floor of Congress, that no man of self-respect would accept of a commission in the army?

The rupture of John Randolph with Mr. Jefferson and Mr. Madison, took place as early as 1806, and it never was so far healed as to unite the severed parts. From 1806, throughout the whole of the trying period which preceded the war of 1812, Mr. Randolph was in active and bitter opposition to the Republican party, and to all its measures, which he was in the daily habit of denouncing with the most unsparing severity. But of the general character of his politics at that time, a few brief extracts will serve to give the reader the best idea. To them, therefore, we refer. From the writings and speeches of Mr. Randolph in the critical period of 1811–12, we quote as follows:

"As Chatham and Burke and the whole band of British patriots prayed for her defeat in 1776, so must some of the truest friends to their country deprecate the success of our arms against the only power that holds in check the arch enemy of mankind. His word

for it (Mr. R. said) Virginia planters would not be taxed to support such a war—a war which must aggravate their present distresses—in which they had not the remotest interest.”—*Speech of December 10, 1811, on the report of the Committee of Foreign Relations.*

“This event [of war] has not happened; but if it does, the conclusion will be irresistible, and this Government will stand branded to the latest posterity as the panders of French despotism—as the tools, the minions, sycophants, parasites of France.”—*Speech May 29, 1812.*

“I consider a war with England, under existing circumstances, as comporting neither with the interest nor the honor of the Americans.”

It is a fact too well established in the political history of the country to require the production of proof, that Mr. Randolph was decidedly a prominent favorite with General Jackson’s cabinet. In 1830 he was nominated as Minister to Russia, and the Senate confirmed the nomination. Was his opposition to the war, I ask, stated as an objection to the confirmation of his appointment? What Senator in his seat, what Governor in a distant State, what party press ever proclaimed to the country that Mr. Randolph was hostile to the Government of the United States? If his opposition to the war manifested a want of attachment to the Government, why did Gen. Jackson send him abroad to negotiate with a foreign power? With these facts before them, why did they sanction this appointment? Why did Governor Polk sleep upon the watchtower and suffer the enemy to enter the citadel? Or why is he now so industriously engaged in ransacking the journals of Congress, during the time that Mr. Webster was a member of that body—a period, the expiration of which is nearly twenty-six years distant—and when he found, in the list of yeas and nays, his name recorded to a vote which he disapproves, he imputes, without knowing any of the grounds upon which it was given, the worst of motives. Is this fair? Is it just? Is it candid? Grant him all the patriotism that beats warm in his heart—that feels for his country’s rights, and exults in her triumphs, the reader who takes him as a guide, along the way, may well hesitate at yielding a full credence to all of his statements, especially when he finds that his assertion as regards Mr. Webster’s opposition to the war is contradicted by the whole country. When the honored of other hearts are to be debased; the views of other statesmen to be depreciated; the political principles of statesmen to be misunderstood or misrepresented, and vilified and sacrificed, according to the wishes and phantasies of this ardent politician; and this, too, in the shape of constant insinuation against all and every thing that militates against his views, we are tempted to ask, who made him a judge?—to recall the maxim, *Ne sutor ultra crepidam.*

At a distance of twenty-six years, it can hardly be expected that Mr. Webster should be able to recollect, and still less to state, the motives or reason upon which every one of these votes were given;

but in the *National Intelligencer*, a few weeks ago, the reasons which induced him to vote on all those measures for which he has been arraigned, are fully and satisfactorily set forth, and must carry conviction to the candid of all parties, of the correctness of his actions, and purity and soundness of his patriotism.

But, if Mr. Webster's conduct be so reprehensible, are not all of the Republicans who concurred in opinion with him involved in the same dilemma? There were many of them who voted with the minority, most ardent Republicans, and the most devoted friends of Mr. Madison's administration. According to the logic of the *Globe*, they are all in the same condition.

The Opposition party have repeatedly pronounced high and deserved eulogiums upon the illustrious conduct and character of the late Nathaniel Macon. Mr. Webster has been referred to him as a bright example of patriotism and republicanism, and it has been lamented that, with such an example before him, Mr. Webster should have so wandered from the path of rectitude. We take this standard of excellence. We agree to judge Mr. Webster's actions by those of Mr. Macon; and if we show that this pure and distinguished patriot really committed the same political offence for which Mr. Webster has been put on trial, we hope there will be an end of the complaint.

December 22, 1812, Mr. Macon, of North Carolina, voted against the bill to increase the navy, as also Messrs. Barwell and Clopton, of Virginia, and Desha, of Kentucky.

On Mr. Desha's bill to issue Treasury notes, in order to enable the Treasury Department to fulfil its engagements, and to furnish the army with supplies, we find Mr. Macon, of North Carolina, Mr. King, of the same State, now Senator from Alabama, and Calhoun, of South Carolina, voting in the negative; Mr. Webster in the negative.

But as Governor Polk has assumed the judgment seat, he ought to deal out distributive justice with an impartial hand.

*Amicus Plato, amicus Socrates, sed magis amica veritas.*

If the Opposition, who have indulged in such strong denunciations of Mr. Webster's course in the Congress of the United States, in 1814, had looked into that body, they would have seen there the patriots who rocked in the cradle of liberty; they would have seen there the statesmen and warriors who had borne no dishonorable parts in the annals of their country, and in her fields of glory; they would have seen there men voting with him, full of the feeling of independence, and naturally jealous of all governments but their own; they would have seen there men whose purity of purpose and unbounded patriotism, whose character slander itself never dared to assail, who concurred in political views with Mr. Webster, in reference to the policy of the Federal Government.

There was one who concurred generally with Mr. Webster,

as regarded the policy of the Federal Government, one whose blood flowed freely on the field of Eutaw—who carried with him to his grave the scars and wounds which he received in that memorable conflict—was he inimical to his country? Was General Philip Stuart, of Maryland, *a traitor*? There was another, the learned jurist and distinguished statesman, Judge Gaston, of North Carolina—he who “was baptized in the blood of a revolutionary father”—was he an enemy to his country? There was another, who was deputed by Mr. Madison as one of the commissioners to negotiate the treaty of peace, who had opposed the embargo, *which was a war measure*, and who generally concurred in the policy pursued by those with whom Mr. Webster was associated in Congress—who has been considered one of the most illustrious citizens and public benefactors, whose name and memory will be revered as long as distinguished talents and eminent public virtue shall be respected and honored any where—*was Bayard a traitor*? If the living only were involved in this test of public integrity, we could bear them with more composure; but we must certainly wish that these judgments had been spared, which may inscribe a censure on the illustrious dead.

And by whom are these charges made? Are they not made by politicians whose importance has been generated by the effluvia of a corrupt, fetid atmosphere—who have set up for political teachers, and whose disciples give no other proof of their progress in republicanism, except a blind devotion to the most ruthless despotism that the country ever saw? These are the patriots who scruple not to brand with unworthy epithets the men by whose blood the liberties of the country have been cemented, and by whose toils and incessant labors the blessings of a Constitution have been preserved to the people. And does it become these self-styled patriots to assail the motives and actions of men whose renown is as imperishable as their country's fame?

An amiable man, who had carefully and principally studied for some years the theory of surgery, but who had personally engrossed but a small share of actual practice, entered during the last war as surgeon on board a privateer. One of the crew, in an action with an enemy's ship, in which they were victorious, had his leg so severely shattered by a cannon ball that it was deemed expedient immediately to amputate the wounded limb. The young surgeon, *in the trepidation arising from an over-anxiety to do right*, very meritoriously, but somewhat unfortunately, *cut off the wrong leg*. The crew of the privateer did not take a very philosophical view of the case, but, like the world at large, they estimated the value of the operator rather by mere physical success than by moral excellence, and even the patient himself did not duly appreciate the kind zeal of his medical friend. He was accordingly compelled to abandon a profession, which, if *good intentions* are a passport to advancement, he was formed to adorn, and betook himself to other callings—in

each of which, successively, the same *over-anxiety* always gave a pretext to ignorant impatience for checking the aspirant, unfortunately for mankind, at the commencement of his course. The surgeon acted upon a deep feeling of responsibility, felt a strong desire to act correctly, but so dimmed were his physical optics, that he could not see the gross blunder he was perpetrating—that even the boys would laugh at it, whilst few had sufficient sensibility to sympathize in the sentiments which occasioned it, or to feel as he felt. So it has happened with Governor Polk and his *learned associates*: *they cut off the wrong leg*. The Governor has charged Mr. Webster with opposing the declaration of war. The assertion he cannot sustain; and, when he fails to do this, he but deserves our admiration; for the conduct which produces failure is more honorable than success. Such are the varied powers of this renowned knight of the Opposition party. Neither “Womba, the son of Witless,” nor that “pretty knave” of Lear’s, nor any other member of the fraternity of jesters, ever established a fairer claim to “the cap with bells,” or the “sword of lath;” and if the spirit of self-complacency were, at any time, more conspicuously the result of *their* successful sallies, historical justice has not been done them in the records of their deeds and sayings.

But I must be permitted to remark, that in 1838, when Mr. Calhoun,\* in the Senate of the United States, seemed to call in question the conduct of Mr. Webster in relation to the war, did not Mr. Webster, with a promptitude and resolution deserving of high commendation, challenge that gentleman to produce one vote which showed a want of patriotism?

It must be remarked, that Mr. Calhoun served in Congress with Mr. Webster in the years 1813 and 1814; and if any one understood the principles of conduct by which Mr. Webster was governed at these epochs, it may well be supposed he was in possession of all the facts which would have established the charges which have been so industriously circulated against the Secretary of State. But this duty has been undertaken by those who were not spectators of the acts of Mr. Webster, and who have not that comprehensive capacity of Mr. Calhoun, to revive the charge, in the vain hope of injuring Mr. Webster in the affections of the people, and thereby impairing the counsels of the Administration.

Had there been the least foundation for the charge that Mr. Webster exhibited a want of love of country, *Mr. Calhoun had the will and motive to establish the fact; if evidence existed, he was the*

\* Mr. Webster in 1838, in reply to Mr. Calhoun remarked: “Mr. President, you were yourself in the House during a considerable part of this time. The honorable gentleman may make a witness of you. He may make a witness of any body else. He may be his own witness. Give us but some fact, some charge, something capable in itself either of being proved or disproved. Prove any thing not consistent with honorable and patriotic conduct, and I am ready to answer it.”

*man, above all others, to produce it, for he was cognizant of the facts, and knew how to bring them forward in the most imposing manner.* But he failed to do so—he dared not attempt the adduction of *such* proof—he knew full well that overwhelming defeat would attend his movements. Indeed, the friends of the Administration have nothing to dread from the closest investigation of the political life of the Secretary of State, when such a bold, artful, ambitious spirit as Mr. Calhoun, toiling with unabated zeal and uncommon assiduity for the prostration of his rivals, declines the task of exposing the errors and misconduct, as it is alleged, that mark the career of Mr. Webster at this eventful period in the history of the republic. It is therefore useless for any individual now to attempt to fix the stigma of reproach upon the high and honorable character of the Secretary at the head of foreign affairs.

In the foregoing observations, we have made some general remarks on Mr. Webster's conduct during the late war, the true character of which seems to have been but little understood, and to have excited but little attention. We are happy, therefore, in the opportunity now afforded us of calling public attention to this subject in another aspect; and although our notice will be chiefly directed to points of a subsidiary nature, yet whoever reflects on the intimate connection which these matters have with the events of the late war, and that, in a right understanding of them are involved the accuracy and consistency of the system of measures pursued at this eventful crisis, will not, we venture to hope, regard the length of our disquisition as disproportionate to its real value.

I now come to such of our public transactions, and the documents that illustrate their history, and the principles on which the Republican party acted, as bear the nearest affinity, and the strongest analogy, within principle and circumstance, to the conjuncture in which Mr. Webster was called to exercise his judgment, in the practical application of these principles to the actual state and condition of existing circumstances; where he was, as a member of Congress, and there, upon his sole responsibility, without other counsel than his devotion to the glory and prosperity of his country, to fulfil the duties of this high and most delicate of trusts, by upholding the just power and political rights of the people, appertaining to our Republican institutions—rights which he could neither abandon, relax, or compromise, without an abandonment of the interests of his constituents, and derogating from his dignity as a member of our national legislature.

It must be remembered, that in the history of this republic, three great and important questions divided the country into parties, out of which grew violent political contests, viz: the embargo, the Bank of the United States, and the war. These questions were considered as *test questions with the Republican party*. The embargo was viewed by Mr. Jefferson, as a measure well calculated to operate on the commercial interests of Great Britain, and thus

constrain her to abandon her maritime system of warfare. During Mr. Madison's administration the same system of measures was attempted to be carried out, to press down and embarrass the commercial operations of our rival. It was, in other words, *a war measure* of the strongest character, and advocated as such by the friends of the Administration.

On the 24th of May, 1813, the Congress of the United States assembled. The Committee on Foreign Relations consisted of Messrs. Calhoun, Grundy, Desha, Jackson, of Va., Ingersoll, Fisk, of N. Y., and Webster.

This committee, it will be perceived, was composed of men of great talent and extensive information. In July, 1813, the Committee on Foreign Relations made a report, recommending an embargo on all ships and vessels in the harbors and ports of the United States. Among those who voted against the adoption of the report we find Messrs. Calhoun, Cheves, Duvall, Hufty, Kent, of Maryland, Lowndes, Stanford.—Yeas 78, nays 51. It is a fact, well established, that those members who voted in the negative, were the zealous friends of Mr. Madison's administration.

In the Senate, July 27th, 1813, the vote was taken on the same proposition, to lay an embargo. Among those of the administration party, voting against the bill, which had passed the House of Representatives, to lay an embargo on British shipping found in the ports of the United States, were Mr. *Anderson*, of Tennessee, *Bibb*, of Georgia, *Fromentin*, of Louisiana, and *Giles*, of Virginia.—Yeas 16, Nays 18.

Thus it is, at this eminently critical period, we find many of the most distinguished of the Republican party entertaining opinions directly at war with the Administration. We find them standing on the floor of Congress, resisting, with their influence and abilities, measures which were recommended by the Executive, as the means of reducing the maritime power of our ambitious enemy. The embargo was considered as *much of a war measure* as any other that was acted upon by Congress—as much so as any measure which Mr. Webster ever resisted. How, then, will the Opposition party reconcile their denunciations of Mr. Webster, and their support of Calhoun, Cheves, and Giles. Mr. Webster only exercised his independent judgment, in opposing any system of policy which he believed was inimical to the interests of the people. Messrs. Calhoun, Cheves, and Giles, exercised the same prerogative, of resisting and supporting such measures as they conceived conducive of, or pernicious to the public welfare. Those distinguished individuals, no doubt, entertained the most exalted sentiments of regard and confidence in the integrity and patriotism of the illustrious individual at the head of the Government, but they could not make a sacrifice of the honest convictions of their mind at the shrine of those sensibilities, nor engage in the support of measures affecting the best interests of the country, which were rejected by their most deliberate

judgments. If this liberal interpretation of conduct be considered as applicable to the Republican party, who resisted the adoption of the embargo, I will ask, upon what intelligible principle will you exclude its applicability to the political conduct of Mr. Webster? His case is precisely analogous. He, in the exercise of his independent judgment, differed with the Republican party in relation to the policy of the Administration, and, on some occasions, opposed it; yet his opposition is stigmatized by the partisans of the present day, as unpatriotic.

I flatter myself that I have shown that on the embargo question, there was a great diversity of opinion, and that, if it be viewed as one of the test questions of party adhesion, many of the prominent adherents of the then Administration *were guilty of desertion* from the true standard of the party. If then the imputation of a want of love of country, attaches to all those who resisted the measures of Mr. Madison's administration, it embraces a large number of the most active friends of the Republican party of that day.

The history of the country develops one important fact; that many politicians, for the gratification of their revenge and inordinate lust of power, during the political canvass in 1823, '24, made a series of insinuations against the late William H. Crawford, on account of the support which he gave to the repeal of the embargo, while a member of the Senate of the United States. With what promptitude were they repudiated by the press in Virginia! What a high indignation did those insinuations produce among his friends, that unpatriotic motives should be attributed to this honest difference of opinion as regards the adoption of a measure, which he believed to be seriously afflictive to our commercial success as an independent nation! Who believed these base insinuations? Was not the Richmond Enquirer foremost in his defence? I again repeat, that this embargo was, in 1808, *emphatically a war measure*, and recommended to Congress as restrictive of the rights of Great Britain in trading to the ports of the United States.

But the proceedings of Congress furnish other proof than the cases already referred to, of the Republican party entertaining a discordance of views in relation to the *war measures* of the Administration. It is furnished by a statesman of great reputation and talents, whom I trust the Opposition will not consider as inimical to liberty, or to the Constitution of the country. I mean Langdon Cheves, of South Carolina; one of the strongest, warmest, and most zealous friends of the Government; united with it in interest, principle, and affection. He stood on the floor of Congress as one of the coadjutors of Mr. Calhoun, in propping up and sustaining the measures of the Executive, and no member shed on the propositions discussed in that body more light, and disentangled complicated questions more satisfactorily than he. But what does he say in relation to the declaration of war? He says, "I have no hesitation in admitting, for I shall speak with the utmost candor, that, had I *known of the*

*revocation of the orders in council at the moment of the declaration of war, I would not have voted for it."* See his speech on the Loan Bill.

In the first place we find Mr. Cheves opposed to the declaration of war.

Again, in the same speech, he remarks: "That I pass from the cause to the conduct of the war. This, I think cannot be defended, and as I have not been an indiscriminate supporter of the measures and policy of the Government, I must not be an indiscriminate apologist of the conduct of the war. But, although it cannot be entirely defended, it may admit of some excuse."—*Debate on the Loan Bill, Feb. 17, 1814.*

Now here is the distinct avowal, by a friend and supporter of the Administration, who advised the adoption of war measures, and who enjoyed the distinguished confidence of the Republican party, that if he had known of certain events that had occurred, he would have opposed the declaration of war. He contended that the measures of the Government were indefensible—that he had not been an indiscriminate supporter of the policy of that Administration. Did he, in consequence of this announcement of his course of action, forfeit the confidence of his political friends? Did they impute to his political action *unworthy* or *unjust imputations*? Most assuredly not. The very first opportunity that occurred after this great speech, in which he denounced the conduct of the Government in relation to the war, the Republican party gave him the most distinguished token of their continued confidence and regard, and elected him as the successor of Mr. Clay (who was deputed as minister to Ghent) to preside over the deliberations of Congress. It thus appears from this mark of high confidence, in elevating Mr. Cheves to the Speaker's chair, that the Republican party did not regard his opposition to the war measures, as dictated by improper or reprehensible motives. This deduction is clearly inferential, from the fact that he was the choice of the most influential members of the party, and was elected over *one* who had taken a very decided part in all the measures connected with the prosecution of the war. Such being the undisputed action of the Republican party in 1814, upon what justifiable grounds will the enemies of Mr. Webster attempt to fix upon him the imputation of a dereliction of patriotic duty? Between Mr. Cheves and Mr. Webster, there is a most striking coincidence of political sentiment on many questions of national policy. His most malignant revilers cannot discern the slightest attrition—not one dissonant note—but will find the most perfect harmony and accordancy of political views.

Now, I ask, will the Opposition party charge Langdon Cheves with giving an unpatriotic vote? He admired, as much as any man in the nation, the brilliant display of national spirit and valor which burst forth so madly in the hour of danger.

From these developments of the political history of the country,

we find Mr. Webster concurring in political sentiment, and voting on important questions of national policy, with such men as Macon, of North Carolina, Cheves, of South Carolina, Giles, of Virginia, and Sheffey. Mr. Madison's administration could not boast of more zealous friends. They were indeed remarkable for the devotedness of their attachment to his administration, their lively and keen sensibility to all its wrongs, real or imaginary, and their vigilant, ever unwearied zeal in its defence.

I have neither time nor inclination to enter into a discussion of either the propriety or policy of these measures, but I have no hesitation to express my belief that the members who voted for or against them, were equally actuated by the same purity of motive—that those who voted on the one side or the other, acted from the sincerest desire to promote what they respectively considered the best interests of their country. Where is the man who would dare to say, that the members of Congress who voted for or against the embargo, and the revenue bill, acted from corrupt motives? Is there a man who believes that the members who voted against these measures were actuated by a desire to promote the interests of a hostile nation? No distinguished citizen has attempted to call in question their patriotism. And why? Because he would cast a shade of imputation upon the high character of those who performed such a splendid part in the history of their country, during the time that we were engaged in a conflict with a most powerful and ambitious enemy. Will an intelligent and patriotic people, cherishing a high admiration for lofty actions, and the manifestation of exalted virtues, tolerate the conduct of a few interested partisans in scattering defamation and falsehood, *who seek to overthrow an illustrious individual*, whose renown is closely identified with that of his country? If such efforts should prove successful, they must reflect dishonor and degradation on some of the brightest names and purest patriots which ever adorned the page of American history. If such a course, so reprehensible, meets the approbation of the people, then I must confess that I am greatly mistaken in the American character. Who is it that believes that these great men were inimical to the Government of the United States? that they were destitute of true, devoted patriotism? For, what is this passion, but an affectionate preference of one's own country? Yet even this exalted and honorable affection of the human mind, the fruitful progenitor of so many virtues and virtuous deeds, which in all ages has stimulated individuals to heroic deeds and splendid exploits—which has repeatedly elevated nations to the loftiest pinnacle of grandeur and prosperity—the Opposition would induce us to believe, that in that eventful crisis, this lofty feeling sunk its diminished crest under the cover of that expanded philanthropy, which, in its exuberance, sought the promotion of Great Britain at the expense of our own country—a nation whose tremendous power was seen and felt in the conflagration of our towns, in the devastation of our property, and in the capturing and imprisonment of our fellow-countrymen.

Now, let the clear principles, so obviously deducible from these most authoritative acts of the Republican party, be applied to Mr. Webster's situation and conduct, and does he not occupy as firm and as enviable a position, as regards the grounds on which the war was conducted, as any member of the Republican party?

I have noticed the complacency with which Mr. Buchanan, ever since he has been in the Senate, has witnessed efforts, if he has not made efforts himself, to raise prejudices against individuals on account of their alleged opposition to the administrations of Mr. Jefferson and Mr. Madison. I have noticed, also, the great tenacity with which Mr. Buchanan, on all occasions, claims for himself the character of a *Democrat*.

On these points I propose to make a few remarks, and call the attention of the public to the following observations made by him in the summer of 1815:

"Time will not allow me to *enumerate all the other wild and wicked projects of the Democratic administration*. Suffice it to say, that after they had deprived us of the means of defence, by destroying our navy and disbanding our army; after they had taken away from us the power of *recreating them, by ruining commerce, the great source of our national and individual wealth*; after they had, by refusing the Bank of the United States a continuation of their charter, *embarrassed the financial concerns of the Government, and withdrawn the only universal paper medium of the country from circulation*; after the people had become unaccustomed to, and, of course, *unwilling to bear taxation*; and without money in the Treasury, they rashly plunged us into a war with a nation more able to do us injury than any other in the world. What was the dreadful necessity for this desperate measure? Was our country invaded? No. Were our liberties in danger? No. Was it to protect our little remaining commerce from the injuries it sustained by the orders in council? No. Commerce was not such a favorite, and the merchants wished for no war on that account. Besides, if the existence of the orders in council had been its true cause, after their repeal our country would have accepted the olive branch offered by England. What, then, was the cause—the one for which we professed to draw the sword and risk our all? Was it to determine an abstract question of the law of nations, concerning which an opinion different from that of our Administration was held by all Europe, to decide whether a man can expatriate himself or not? In the decision of this question our Administration pretended to feel a deep interest. The *greater part of those foreigners* who would be affected by it, had long been their warmest friends. They had been *one of the great means of elevating the present ruling power*, and it would have been ungrateful for that party to have abandoned them.

"Superficial observers may suppose this to have been the real source of the war, but whoever will carefully and impartially ex-

amine the history of our country, will find its true origin to have been quite different.

"It took its rise from the overweening partiality which the Democratic party have uniformly shown for France, and the consequent hatred which they felt against her great adversary, England.

"To keep this feeling alive, has been the labor of their leaders for the last twenty years, and well have they been repaid for their trouble; for it has been one of the principle causes of introducing and continuing them in power. Immediately before the war, this foreign influence had completely embodied itself with every political feeling of the majority of the people, particularly in the West. Its voice was heard so loud at the Seat of Government, that the President was obliged either to yield to its dictates or retire from office. The choice, in this alternative, was easily made by a man who preferred his private interest to the public good. We were, therefore, hurried into the war utterly unprepared."

In the *Globe* of the 3d of August, 1841, I find the following explanation, prepared by Mr. Buchanan, or his instructed agent, in relation to his conduct during the war, in reply to the above remarks. Here is a precious admission:

"Mr. Buchanan, we believe, has never denied that his *early associations* and opinions were with *those who were opposed to the Administration* by which the war was declared and carried on. He was a student of law, and barely of age when it broke out. It should be observed, too, that the oration in question was delivered *after the peace*, so that its sentiments cannot be construed into an opposition of the war."

Here we may join issue with Mr. Buchanan, and contend that Mr. Webster's opinions cannot be *construed into* "*an opposition of the war.*" The war was declared in June, 1812; Mr. Webster did not take his seat in Congress until the December session, 1813. But Mr. Buchanan characterizes the measures of the Administration during the war as "*wild and wicked projects.*" He charges the Democratic party with possessing an overweening "*partiality for France.*" He charges Mr. Madison with preferring "*his private interest to the public good.*"

I would ask the candid and impartial reader to contrast these extracts with the speeches made by Mr. Webster during the time that he sat in Congress, in 1814. Did he ever utter any thing so at war with the policy of the Administration, or so denunciatory of the reputation of the venerable James Madison? Has he ever delivered a speech which indicates so decided a hostility to the Government, as this one of Mr. Buchanan? And yet *Mr. Buchanan was regarded as a good Democrat*, and Mr. Webster an enemy to the people. By what rule is this demonstrated? By what system of logic is such a discrimination to be sustained? If it were unpatriotic in Mr. Webster to oppose the policy of the Administration,

upon what grounds is Mr. Buchanan to be exculpated? His hostility to the war was well known to General Jackson and his party when they sent him to Russia, as our representative at a foreign court; but these sterling Republicans never raised his opinions relative to the war as an objection to the confirmation of his appointment. The same remarks are applicable to Governor Wall, of New Jersey. He opposed the war and its prosecution, and yet he has been viewed as a prominent member of the Democratic party. It "should be borne in mind that Mr. Wall was at this period a Federalist—an *honest member* of the party in opposition to the Administration whose measure the war was"—and he regarded it "*as rash and unwise.*"—[See Democratic Review, No. 27, vol. ix, page 78—Portrait of Garrett D. Wall, of New Jersey.] It must, however, be remarked, that he was appointed, by General Jackson, District Attorney for the State of New Jersey.

By garbled quotations, illogical inferences, and perverted constructions, Mr. Webster's opponents may have made some impressions on the minds of some individuals. But those who have been duped by their statements, I will ask, have they shown the proof? No. This was totally out of their power. I put the question in reference to the *proof*, and challenge the severest test for every deed which the minute industry of his persecutors, stimulated by envy and ambition, may be able to call up against him. Whatever errors or indiscretions it may please them to impute to him, let any word or deed be pointed out as approaching, in the least degree, to the character of an unpatriotic citizen. What, then, are we to think of politicians who, in the very threshold, assert, knowingly, palpable falsehoods with the view to deceive? Who, with patriotism in their mouths, and fiendish malice in their hearts, attempt to blacken the reputation of a distinguished character, and to mislead their fellow-citizens in matters so important and of such general notoriety. But in Mr. Webster, whose political life has been one of virtuous patriotism, they behold, through the distorted medium of crooked minds and black hearts—

"Perverse, all monstrous, all prodigious things,  
Abominable, unutterable, and worse  
Than fables yet have feign'd, or fear conceived;  
Gorgons, and Hydras, and chimeras dire."

I have thus reviewed, at some length, the allegations embodied in the remarks which have been made by Mr. Webster's opponents, calling in question his patriotism. There is not one of them that will not be found to be completely destitute of truth. To the grounds of crimination, so deliberately weighed and cautiously selected as the basis of the withering sentence which they have passed upon him, his defence, without any fears, may be confined and triumphantly rested. It has been thought that demonstration of the nature and the circumstances with which he was surrounded, as well as the concurrence of opinion of several distinguished statesmen, would

subserve purposes of general explanation, and furnish a key for the development of his whole conduct; it has therefore entered into this plan of vindication, to refer to the speeches and votes of those statesmen with whom he acted. Then we say, take the circumstances which we have grouped together, and they must carry conviction of his unsullied patriotism to every unbiassed mind. They form no an intricate web, in which filaments, disjunctively feeble, obtain strength by combination, but a chain whose firmness arises from the solidity of its links, and not from any artifice of connection.

As regards the measures adopted with the view of prosecuting the war, they were such on which a division of opinion might well be expected to exist; measures on which the most enlightened and patriotic men entertained the most opposite opinions; for it is well known that a large portion of the American people, including many individuals of the highest character for virtue, knowledge, and love of country, were of opinion that the measures were inefficient, and not calculated to produce valuable results.

Politicians, availing themselves of the high excitement which prevails, have so confounded truth and falsehood, and so misrepresented and disguised the principles and motives of such public men as they deem obnoxious to their views, that it requires more than an ordinary degree of attention to form a correct judgment upon public affairs, and upon the merits and demerits of individuals. The easy accessibility to the press, has enabled these spurious patriots to practice with great success upon the public credulity, and thus to effect their own selfish designs, when, if stripped of those flimsy disguises, instead of the disinterested patriots, exclusively devoted to the public welfare, they will be found, concealed beneath the veil, ambitious men exclusively intent upon their own elevation, at the expense of the interest of the community; or a disposition manifested to convert every act into incense for their idol.

Mr. Webster cherishes a high respect for the opinions of posterity. It is from this love of future fame, at least so far as it regards honorable feeling and purity of motive, that he is desirous that his action in these matters should be properly developed and understood. If the names of those who have lately been engaged in conducting the weighty concerns of this confederacy, should be transmitted to posterity, as they assuredly will be, how important is it to every statesman concerned, who feels the "patriot's passion," that posterity should be furnished with the means of judging correctly? For when these are exhibited, posterity, being always impartial, will not fail to render a correct verdict, and to pronounce a right judgment. Time will soon sweep from this land the present generation, with all its fleeting passions, so highly excited at this time by the peculiar state of the country; and then, and not until then, will the actions of those now engaged in controlling the affairs of this nation, be seen in their proper light.

That differences of opinion, and differences of no inconsiderable magnitude, existed between Mr. Madison and Mr. Webster, upon some of the important points of policy adopted by the General Government, is beyond all question. Such differences of opinion ought to be ascribed, as I am sure they will be, to the infirmities of our nature, and by no means to improper motives. Such an opposition, when springing from a diversity in the structure of our intellect, when it conduces to different conclusions on the same subjects, and is within the bounds which love of country and political honesty prescribe it, is one of the most useful guardians of liberty. One man approved of some of the measures connected with the prosecution of the war, another thought them unwise and impolitic. These measures are now matters of historical controversy. Mr. Webster had full opportunities of judging of the motives of Mr. Madison. These opportunities had at all times assured him of their unsullied purity; nor is there any man who would derive more pleasure in bearing honorable testimony to his enlightened patriotism. But notwithstanding his enlarged confidence in the purity of Mr. Madison's motives, and his deferential respect for his opinions, he could not make an unhallowed sacrifice of the honest convictions of his judgment, which after the deliberate exercise of the faculties of his mind, he truly believed to be founded in error, merely because he believed, at the same time, those errors to be unintentional; particularly when he knew that the effects of such errors upon the community would in no respect depend upon the good or evil motives which gave rise to them.

In concluding this subject, I will observe that the poisoned arrows thrown from such hands as Polk and Linn, fall pointless when aimed at such a character as Daniel Webster. His enlightened and active mind, the extent of his varied information, the light he has poured into every department of political economy and constitutional law, will be the admiration of the people of these United States when the greater part of those who favored, or those who have opposed him, will alike be forgotten.

"Envy will merit, as its shade, pursue,  
But, like a shadow, prove the substance true :  
For envied wit, like Sol eclips'd, makes known  
Th' opposing body's grossness, not its own.  
When first that sun too powerful beams displays,  
It draws up vapors which obscure its rays ;  
But e'en those clouds at last adorn its way,  
Reflect new glories, and augment the day."

In the mass of defamatory matter which the writers in the public journals have created, respecting Mr. Webster's political character, one of the foulest materials was that which asserted to the world that he "was a member of the Hartford Convention." Considering the importance which has been attached to this filth by Mr. Webster's political adversaries, neither its quantity nor fœtidness can occasion

surprise. Perishable as it was putrescent, the light shed on the political history of Mr. Webster, in that celebrated debate on Mr. Foote's resolution, in 1830, quickened the natural process of its decomposition, and it would have long since disappeared, but for the delicate researches and vivifying energies of his indefatigable enemies.

In entering upon this vindication, I must regret the necessity of occupying more space than intrinsic difficulties in the questions themselves might possibly have required. But the terms in which the charges have been framed; their often complained vagueness; the mystery observed as to the application of facts and circumstances, and the defeat of any suggestion of the proofs acted on by those who have made the charges, constrain me to traverse a wide field in order to elucidate the matter.

In the threshold of these elucidatory remarks, I ask, is the information of the authors of this slander, upon this head, supported by any but their own affirmation? Is it not contradicted by the whole course of events? Does there appear to be the least reason to believe that they had a sure foundation to build upon, when they made such bold assertions, and of such a nature? Mr. Webster's connection with the Hartford Convention, which his enemies talk so much about, has never appeared, nor are any footsteps of it to be found. It exists only in the luxuriant fancy of his untiring enemies. They represent the matter in controversy just as it suits their purposes; leaving out many things necessary to set the whole in a true light; asserting as impolitic that which has never been proved, and which never can be proved; making what intimations and deriving what conclusions they think fit. It is hard to conceive for what purpose this is done. The reason given, I am sure, is not a good one, since the principal facts and reasonings upon which the strength of all that can be said must be founded, so far from seeming to be forgotten, are recorded in the public journals of the day as destitute of truth. There must be some other reason for this method of proceeding, and I can conjecture but one. This method may, perhaps, be thought proper to catch the unwary readers, and to give a particular bias to their minds. I could make use of the art, but I have no wish to do so; my object is the discovery of truth, and therefore I will assert nothing but what is supported by evidence and the force of argument.

It must be apparent to the candid reader that the true reason of the violence towards Mr. Webster seems to be compounded of malignity and ambition. With a perverted ingenuity, which invariably misleads, Mr. Webster's enemies have endeavored to discern improper motives even in the simple statement of opinions differing from their own, and in this manner they have surrounded his political character with circumstances entirely foreign to it. They are eager to grasp any occurrence, that will operate upon the passions

or the prejudices of the people, and thus injure his reputation. Instead of a dispassionate and philosophical investigation into the truth of the accusation, they have treated the matter as facts well developed in the history of the country, and easily sustained by impregnable proofs. Entertaining these feelings, their statements are of course all on one side; but, fortunately for the country, fortunately for the political integrity of Mr. Webster, the most incontestible proofs are at hand, and producible, showing most conclusively that Mr. Webster had no connection, in any manner or form, with this Convention, and thus stamping the accusation with the most flagrant marks of imposture. To avoid the mortification of beholding a refutation of their ruthless assertions, his enemies have repeatedly shrunk back into their own shell; they have passed by the truth, and seen her only in a dream; they touched the mantle of a god, but it gave out no virtue to them. That this accusation should have proceeded from men of high character and station is quite unaccountable—and that not as a hasty suggestion, but as the matured result of years of reflection upon the subject, and upon a full review of the evidence which has been spread before the eyes of the American people; how minds of the character and force of distinguished Senators, habituated to the examination of evidence, so exercised in the observation of historical facts, and so well aware of the conditions by which truth is to be discovered, could put forth such an unfounded allegation without noticing the extreme improbability of sustaining it by proof, is a matter of just surprise. The facts as regards this allegation were of a nature such as admitted of no different construction—such as could not be altered by circumstances. They were of a public nature—such as the men who brought the accusation must have had it in their power to prove, if it were true, and such, therefore, as must be false, if the men who brought the accusation were not able and ready to prove it.

Mr. Webster's detractors are fully aware that no political subject that has ever occupied the attention or excited the feelings of the great body of the people of the United States, has been the theme of more indignant reproach and vituperation than the assembly of delegates from several of the Eastern States, which convened at Hartford, in the State of Connecticut, in December, 1814, commonly called the "Hartford Convention." Availing themselves of this patriotic indignation, which flows through the country in opposition to this Convention, and regardless of truth and justice, they have attempted to kindle the resentment of the people against Mr. Webster, predicated their action upon the general principle that the mind once impregnated with prejudice will not permit it to review the evidence by which opinions are supported. The power of prejudice to arrest the progress of inquiry is indeed to be lamented. Nothing could be more desirable than that every opinion should rest upon incontestible evidence—that all circumstances not intimately blended with political controversies could be disconnected,

and that political partisans could bring their minds to analyze them, free from passion and vindictive feelings; but the strength and independence of mind requisite for such an effort is rather to be admired than expected, at this day of high excitement. There are few who enter on the investigation of questions in that elevated state; secret antipathies and predilections will be sure to instil their venom in the minds of those called on to investigate, and obscure the perceptions of truth and the suggestions of reason. But Metellus and Rutilius must be condemned: Nero and Tiberius must be justified.

In the Senate of the United States, General Hayne had the boldness to connect Mr. Webster's name with that convention; yet his reply, dignified, able, and unobjectionable as it was generally acknowledged to be, has had no efficacy in shielding him from this opprobrious charge. General Hayne, though challenged to produce the proof of his assertion, not being able to justify this violence, remained silent, and never dared to support it by evidence. Was there ever a more ample and explicit avowal of a determination to confront an accuser? Can any one contend or ask for more? Would Mr. Webster have acted thus had he been conscious of improper designs? If he knew that the accusation were maintainable, would he not have sought concealment, when it was so easily practiced? Undoubtedly he would. But he had other objects in view. He wished the impartial historian, in recording the annals of those times, to state that his patriotism stood pure and unsuspected by his countrymen. He knew full well that, if this elevated virtue once received a stain, no service, however brilliant, could wipe it off. Patriotism, like the ermine, will die rather than receive a spot; or, to consider her in the character of a deity, she expects a constant unsuspected sacrifice, and shuts her temple forever against the votaries who forsake it for a moment. He felt a consciousness of his political integrity, and a just pride of his character, which placed him far above the apprehension of events. He was anxious to meet the accusation. He knew that, in the instance selected, he had deported himself in a manner conformable with his oath to support the Constitution of the United States, the laws of his country, and the stern and inflexible duty of a patriot. He knew, also, that he could demonstrate his innocence as to all matters alleged against him. And, acrimonious as are the terms in which this accusation has been made, harsh and opprobrious as are the epithets wherewith it has been thought to assail his name and character, it must have been a matter of great felicitation to Mr. Webster, that General Hayne had put forth this charge into a definite form, so susceptible of refutation, and for having thereby afforded him an opportunity of denying it in the most unequivocal terms, and asserting his innocence in the face of the Senate, of his country, and of the world.

But if such proof were procurable, is it not reasonable to sup-

pose that General Hayne would have been sure to have produced it, with the view of overthrowing the immense influence which Mr. Webster exercised, by his commanding talents and the soundness of his constitutional views? Would not his enemies, who have never been marked by any backwardness or want of diligence, have hunted up the proof and spread it before the eyes of the people? By producing proof, they had it in their power to have condemned him; and if this charge were made good, he would have stood convicted before the Senate of the United States. General Hayne had his "*scavenger*" sitting near him, who was then distinguished as an agent in procuring evidence against Mr. Webster. Could he not have obtained the evidence, if any existed? He could have applied to the members of the Convention, and to Theodore Dwight, the Secretary of that body, whose respectability he could not but acknowledge, whose veracity he dared not impeach, and the purity of whose moral principles he had not the courage even to question. They could have satisfied him of the truth or falsehood of the charge. But General Hayne knew full well that the charge was not susceptible of proof, and, like a high-minded and honorable man, he declined the challenge thus thrown down to him by his distinguished adversary. He was also fully aware that a member of that Convention had published a full account of the proceedings of the Convention, and that Mr. Webster's name did not appear on the record. If this charge be true, as the enemies of Mr. Webster have asserted, why do they not procure the testimony of the secretary of the Convention? He is a disinterested witness of what was transacted by that Convention; he was present throughout every meeting, heard every debate, was acquainted with every member, and carefully recorded their attendance. He therefore was, and has been, the only person, except the members, who had the opportunity to know from personal observation every thing that occurred, every proposition that was made, and the result of every vote. Surely, then, his testimony that Mr. Webster had no agency in the formation or the proceedings of that justly denounced Convention, must be received as conclusive evidence, unless it can be discredited.

Thus far, then, we have a deduction of facts, not of suppositions; we have a thread of consequential arguments, not a rhapsody of arbitrary interpretation of opinions. The case is fairly stated; issue having been joined, the accused stands acquitted of any participation in the proceedings of the Hartford Convention, and his accusers must be found guilty of slander, of calumny, and of the worst sort of assassination.

The proverb truly says that extremes are near, and the proximity is never more striking than between incredulity and credulity; nor would it be easy to find a more remarkable example than the learned and philosophical Linn, of the Senate. I have already exhibited a partial line of him as a sceptic, whose want of faith has exhausted

the common sources of our political history, and who has entrenched himself behind so many bulwarks of doubt, that no evidence of any fact can reach him.

I will now make a few remarks respecting his ready credulity, whenever he is led to yield his assent by a keen appetite for the novelty of things. I cannot, however, acquiesce in his hasty decisions. In relation to the accusation that Mr. Webster was a member of the Hartford Convention, he does not scruple to correct the accounts which members of that body have given of its transactions; he professes to be better acquainted with them than the persons who were actually present; he persuades himself, also, that the events thus pointed out by him are in perfect congruity with the history of the times of which he is speaking. I therefore charge him with committing an offence of a grave complexion; that is, the hasty adoption of a general opinion without sufficient evidence, and an inversion of all the rules heretofore adopted, either for the detection of error, or the vindication of innocence. I complain, also, on another ground, of an unjustifiable want of candor, in not alluding to the disavowal made by the members of the Convention as to Mr. Webster's connection with that body. The authenticity of the record of the proceedings of this Convention has never been questioned. No attempts have been made to depreciate the authority, or impeach the veracity of Theodore Dwight, the Secretary. This address, thus published, with the full approbation of the members, *does not, in any one instance, mention Mr. Webster's name, connected, in any shape or form, with the Convention.* Then why the constant reiteration of this loathsome slander? Why a constant reference to a matter, allowing it all the importance and plausibility which the tact and name of the learned Senator can impress it with? Does the reader vainly think that the Senator's puny efforts will give currency to such an accusation, susceptible of refutation by hundreds of men of high and distinguished honor and unstained integrity? If the reader thinks so, I will tell him he is most egregiously deceived. The people think and act for themselves. Old Falstaff was not more resolutely determined against giving than the people are against being taught "*reason by compulsion.*"

We cannot suppose that the Senator was ignorant of the positive denial of this charge, as made by Mr. Webster in his reply to General Hayne. No, a child could not have fallen into such a gross error. It must have been done with design. And to such as may still think the Senator a man of candor or talents, I recommend a perusal of *the speech, if it ever should be published*, made by him last winter, as an effectual antidote. The little ingenuity he, indeed, possesses, consists in compressing a great deal of venom into a small compass; and the only candor he exhibits is in spreading so diaphanous a veil over his misrepresentations that they become apparent to the most obtuse vision.

When the enemies of Mr. Webster demand proof of his free-

dom from the imputation which they have endeavored to attach to him, their conduct is only equalled by one of Byron's characters, as sketched by his inimitable pen. At the festival, Sir Ezzelin recognises and exposes the villain, Lara. He challenges his adversary to single combat, and before the appointed time he disgracefully murders him; then, at

"The promised hour, that must proclaim,  
The life or death of Lara's future fame,"

he appears on the battle ground, and exclaims, "Why comes he not?—Produce the babbler." So it is with Mr. Webster's enemies. When they are fully aware that there is no testimony to offer, they exclaim, Produce the exculpatory evidence.

I am well aware that in the investigation of a question of a political character, the strictness and severity of legal evidence ought not to be exacted, but certainly there should be some striking lineaments of resemblance, some leading traits of analogy required, or else the most innocent character may be immolated on the altar of prejudice and malignity. But the persecutors of Mr. Webster, unable to bring themselves within this relaxed rule, as regards the admissibility as well as the validity of evidence, and stricken with the conviction that the accusations against Mr. Webster cannot bear the sight of inquiry and the test of argument, they resort to suspicion as the dernier strong hold. If evidence will not convict, let us only suspect him to be a member of the Hartford Convention. Destroyed he must be at all events, and if we cannot conquer him in fair battle, let us take him off by poison or assassination. If argument will not prevail, if evidence should fall short—then we must invoke the vagaries of the imagination, and conscience will decide against him; for it prefers the company of suspicion, to the society of reason and evidence. It is by this *elencticus*, or summary proceeding, that they expect to effect his political destruction. I venture to say that this *high court of suspicion*, in which Mr. Webster's persecutors propose to try him, is a tribunal unknown to common sense, or common justice. Its model can be found only in the bloody tribunals of the Inquisition, or in the infernal judicatory of Rhadamanthus, as described by the poet—

Gnossius hæc Rhadamanthus habet durissima regna,  
Castigatque, auditque dolos; subigitque fateri.

In the course of my strictures upon the conduct of those who have assailed Mr. Webster's character, I have been compelled to use strong language. It was impossible to view the attempt of the Opposition party to delude the public mind under the mask of patriotism, without feeling the keenest emotions of contempt; and it was still more impossible to behold men of eminence descending from their exalted station, and, with polluted hands, offering up sacrifices to the infernal furies of faction, without feeling that contempt ripening into indignation, and without uttering that indig-

nation in the warmest language of passion. A man must read "*with a lust to misapply*," and set down predetermined to make him an unpatriotic citizen, who can deduce from his career any thing unfavorable to his standing as a pure and virtuous patriot.

I have done with this matter. If my remarks have grown into a greater length than designed, it has been owing principally to an earnest desire of setting these matters (so often and so grossly misrepresented) in a just and clear light. I have advanced no facts but such as are of public notoriety, such as I know to be true, and such as I do verily believe to be so, upon such grounds as reasonable men have always thought sufficient to constitute, in cases of this nature, the highest proof. I have endeavored to draw no consequence, nor advance any argument, further than I judged the case would evidently bear.

After the close of the session of 1816, Mr. Webster determined to relinquish public life, and devote himself to the arduous duties of his profession.\*

The fame of the admirable argument in the Dartmouth case spread throughout the Union. Even with his political enemies, it enhanced the elevation of his character, and brought him at once in competition with the most eminent jurist who then graced the American Bar.

He began now to be known as a man of great genius and erudition. The publication of this argument, in the case already alluded to, formed a grand epoch in the history of Mr. Webster, and from it we may date the commencement of his eminence as a lawyer. This argument is, therefore, not only an important accession to the science of law, an exertion of extraordinary genius, but a groundwork of enduring fame.

\* In the year 1820—21, Mr. Webster was elected a member of a convention of delegates, assembled in Boston to revise the constitution of Massachusetts, and contributed greatly, by his candid explanations and manly reasoning, to do away prejudices against many of its wise provisions, and to procure its adoption. But his advocacy of several propositions submitted to this body has been productive of an objection to the orthodoxy of his republican principles. This objection was brought against him, and trumpeted forth previous to the late Presidential election, and the proof against him was, that in the convention he advocated aristocratical doctrines.

I have read attentively the long and elaborate speech of the Honorable B. F. Butler, of New York, professing to be a review of the doctrines sustained by Mr. Webster in the convention; in which it was to be expected, if he deemed the doctrines susceptible of a satisfactory answer, that he would have met the arguments of Mr. Webster, upon principle; and, without sparing any defect of conclusiveness which could be detected in Mr. Webster's reasoning, that he would have fully and freely explained what he conceived to be a deflection from the republican standard in Mr. Webster's principles. But he thought proper to abandon this simple and correct course, in order to introduce certain collateral topics, and advert to certain extraneous circumstances, which, if ever so correctly quoted and candidly commented on, had no possible connection with the principles which received the sanction of Mr. Webster, and the members of the convention.

This retirement, however, from the turmoils and convulsions of political life was of short duration. A man of his eminence could, however, with great difficulty adhere rigidly to his original resolve. He was pressed to become a candidate for a seat in the national legislature. With very considerable reluctance he yielded to public opinion, and in 1823, he appeared in the Congress of the United States, as one of the representatives from the State of Massachusetts, to mingle once more in the heat and conflict of political controversy.

Whether his fame, suddenly acquired, and remarkably brilliant, would endure, remained yet to be known. He had not, however, been long in Congress this session before his friends were satisfied that they had not formed too exalted ideas of his powers of mind. One of the first propositions which he submitted to the consideration of Congress, was a resolution "that provision ought to be made by law for defraying the expenses of an agent or commissioner to Greece, whenever the President shall deem it expedient to make such appointment."

It was impossible to contemplate without emotion the conflict between the Greeks and the Turks. This contest was well calculated to arouse the strongest feelings on account of the uncivilized atrocities perpetrated by the infidel oppressor. The Greeks were contending against fearful odds. They were seriously striving to throw off the yoke of an iron despotism.

Such a momentous event as the Greek revolution, interesting to all the enlightened friends of liberty, had very early engaged the ardent mind of Mr. Webster. This illustrious statesman always venerated and admired liberty; and contemplating the change, estimating its nature and value by the happiness which he conceived, from overthrowing an arbitrary government, it would bestow upon millions, he wished to see the descendants of the illustrious Greeks, to whom we are indebted for their profound philosophy, their excellence in poetry, painting, eloquence, and all the arts that elevate and adorn life, break their chains on the heads of the oppressors. He spoke with transport and deep emotion of a great people achieving their liberty in the same spirit which characterized so conspicuously the efforts of their distinguished ancestry. His speech in favor of the resolution was an able and elaborate effort. His adversaries felt, while his friends gloried in the power of the effort. He evinced throughout, an extraordinary *momentum* of original thought, that was seen in its effect, and acknowledged by his opponents. This was the effort in which, with the forecast of a statesman, he showed, as plainly as events have since proved it, that the principles laid down by the great powers of Europe, from the Congress of Paris, in 1814, to that of Layback, in 1821, as the basis on which to maintain the peace of the world, mistook the spirit of the age, and would speedily be overturned by the unsettled state of popular opinion. On this occasion, he showed at once the soundest judgment with respect to the questions involved in the resolution,

and his peculiar talents for elevating temporary events to the standard of history, by collecting, strengthening, and pointing the censures of all ardent lovers of freedom against the spirit and conduct of the aggressors of Grecian liberties. With inimitable skill, he proceeded to arraign and consider the taste or policy that qualify or restrain the genuine indignation of nations, when a bold and undisguised attempt had been made to prostrate justice and outrage humanity. On this high and commanding ground, he entered into the substantial and argumentative points of the question of neutrality. His position was sublime and affecting in a high degree. The contrast which he drew of the spiteful insolence, and iron despotism of Turkey, and the stern and inflexible policy of gigantic Russia, and the generous magnanimity of England, was done in a masterly manner. He called to the remembrance of the friends of liberty, the achievements of the ancestors of the Greeks; he painted in the strongest colors the sufferings and wrongs which they had endured from tyranny; and he charged them as men, never to submit, till they prescribed the jurisdiction or the operation of such detestable principles. Here he appeared, standing on the broad platform of liberty, the profound philosopher, the cautious statesman, and the enlightened friend of the human race. The love of eloquent literature and classical authority, necessarily led him to imprint on this splendid effort the hallowed images of the poets and historians of ancient Greece, whose pure and magnificent diction is stamped by universal admiration.

In 1825, a change in the administration of the Federal Government took place. The Hon. John Quincy Adams, of Massachusetts, was elected by the Congress of the United States, President.

During the long and peaceful administration of Mr. Monroe, the public mind had been unusually tranquil. The bitterness of party spirit had subsided, and the leaders of the conflicting parties into which the nation had been divided, forgetting their past differences, were often seen co-operating to advance the general interests. The citizens who had in former times been stimulated by an active political zeal, now remembered they were politicians only when they were called upon to act as electors, and amalgamated almost into one mass the American people, and approved of the policy of the Federal Government.

But a party spirit sprung into existence, immediately after the election of Mr. Adams to the Presidency. An opposition manifested itself, even previous to any development of his views as to the foreign and domestic policy of the Government. The discussions on the various subjects recommended by the Executive to the consideration of Congress, in his first message, elicited opinions hostile to his administration, and produced collisions of serious magnitude. Here a new scene opened itself to the mind of Mr. Webster. Signs in the political zodiac exhibited indications of a

portentous character. He soon discerned that every measure of the Executive would meet with the most decided opposition.

In contrasting the commencement of Mr. Adams' administration with that of General Jackson's, it may be remarked, that Mr. Adams began his career under family prejudice, and had a mass of obstacles to encounter; his name, like Vespasian's lineage, created hosts of enemies. General Jackson entered the theatre of political life in all the eclat of military glory, and had the prepossessions of the people in his favor. The name he bore, like the stamp of Pompey's foot, raised him legions of friends.

The opponents of Mr. Adams's administration, with a skilful unity of design, the details and results of their eloquence, were well adapted to their purposes of impressing the public mind with an opinion that the whole policy of the Administration was unconstitutional in principle, at once feeble and oppressive in operation, and pernicious in effect. These charges were not advanced in the impassioned hour of contentious and temporary debate, but in a uniform series of deliberate inculcations. Such assertions evidently conveyed the strongest censure.

As Mr. Webster was a distinguished friend of the Administration, he was attacked with great asperity in the newspapers and debates of the day, and designated by every mark of significant reproach, as the coadjutor and friend of Henry Clay. The name of this great man tempts me to pass aside for a moment, to pay a just tribute to his exalted patriotism, talents, and virtues. To have been the friend and coadjutor of Henry Clay, during this Administration, would make the heart of any man beat with lofty pride; to have been his distinguished friend and coadjutor, would be deemed by the whole nation no mean title of praise.

During the four years, the whole of Mr. Adams's administration, Mr. Webster was in the Congress of the United States. Here, in collision with active and powerful minds, in considerations of questions of the highest moment, in the agitation of interests that included all our political good—he acted a principal part, and sustained his reputation with great success.

In December, 1825, Mr. Webster took his seat in the Congress of the United States. The Speaker of the House of Representatives assigned him a conspicuous station. Seldom, indeed, has any man been placed at the head of a committee, in either house of Congress, containing so much learning and transcendent talent, and composed of such collected strength and constellated brightness. The Committee of the Judiciary consisted of the Hon. Daniel Webster, Chairman, Hon. Edward Livingston, of Louisiana, Hon. William H. Drayton, of South Carolina, Hon. Clement Dorsey, of Maryland, Hon. Charles F. Mercer, of Virginia, and the Hon. Jas. Buchanan, of Pennsylvania.

The most important question which attracted the attention of this learned committee, was the recommendation of the President, to

adopt some modification of the Judiciary system, so as to extend the benefits of it to several of the South-Western and Western States. The people in this section of the Union, had complained for a series of years of the numerous inconveniences which had been sustained, in consequence of the non-extension of the judicial power of the Federal Government over their concerns. To remedy these evils, a bill was brought forward in the House of Representatives, early in the session, by the Chairman of the Judiciary Committee, (Mr. Webster,) to create three additional Judges of the Supreme Court, to hold circuits in the Western States.

Great opposition was made to the passage of this bill. Some opposed it on the ground that it would render the bench of the Supreme Court too numerous, and thus diminish the responsibility, and impair the usefulness of the several Judges. Others objected to the introduction of so many Judges at one time from the West.

The necessity, however, of providing some remedy, was apparent; and no other being proposed of so unexceptionable a character, the bill reported by Mr. Webster was sanctioned in the House, by a vote of 132 to 59. In the Senate, the bill was lost, owing to some disagreement amongst its friends, as regards some collateral considerations.

In urging upon Congress the great necessity of adopting this measure, and thus relieving the people of the Western country from a state of things which they represented as demanding the application of a corrective, Mr. Webster displayed his usual zeal and ability. He has had the felicity, however, of witnessing, under another Administration, the recognition of the propriety of this measure, by the expansion of the judicial system to every section of the country, and an augmentation of the number of Judges, upon the plan which he submitted to Congress in 1826. During this session the Panama mission was discussed.

The political course of the United States, from the first dawning of South American independence, had been such as was prescribed by the relative duties to all parties interested. Being on terms of amity and peace with Spain, through all the transmutations of her Government, they considered the struggles of her Colonies for independence as a civil war, to which their national obligations prescribed them to remain neutral. Their policy, their interests, their feelings, all concurred to favor the course of the Colonies; and the principles upon which the right of independence had been maintained by the South American patriots, were demonstrated not only as identical with those upon which our independence was asserted and accomplished, but as involving the whole theory of Government on the unequivocal American foundation, of the sovereignty of the people, and the unalienable rights of freemen. To a course reposing upon this basis, the people of this country never could be indifferent, and their sympathies were, accordingly, with great unanimity and constancy, enlisted in its favor. The sentiments of

the Government of the United States, were in perfect harmony with those of the people; and, while forbearing, as their duties of neutrality prescribed, from the exercise of any right which could justly be construed as hostile to Spain, they exercised all the moral influence which they possessed, to countenance and promote the cause of South American independence. Under these circumstances, a resolution of the House of Representatives of the United States, on the 30th of January, 1822, requested of the President to lay before the House the communications from the agents of the United States, with the Governments south of the United States, which had declared their independence; and those from the agents of such Governments, in Washington, with the Secretary of State, tending to show the political condition of their Governments, and the state of the war between them and Spain. In transmitting to the House the papers called for by this resolution, the President, by his message of the 8th March, 1822, declared his own persuasion that the time had arrived when, in strict conformity to the law of nations, and in the fulfilment of the duties of equal and impartial justice to all parties, the acknowledgment of the independence declared by the Spanish American Colonies, could no longer be withheld. Both Houses of Congress almost unanimously concurred with the President.

This movement on the part of our Government, was followed up by an *informal recognition* of the South American Republics, by several of the European Governments.

In certain official conversations, had in the spring of 1825, with the ministers of these powers, invitations were given on the part of Colombia, Mexico, and Central America, to the United States, to send commissioners to Panama. To manifest the sensibility of the United States to what concerned the welfare of America, and to the friendly feelings of the Spanish American States, the President of the United States determined to accept the invitations, and to send ministers, should the Senate consent to the measure. This determination he maintained in his opening message to Congress, and on the 26th of December, he sent to the Senate a confidential communication, setting forth the object of the Panama Congress, his reasons for accepting the invitations to send commissioners, and nominating ministers.

The Senate, having confirmed the nomination of Messrs. Sergeant and Anderson, the President asked of the House of Representatives an appropriation to defray the expenses of the mission thus constituted. This measure was resisted, and the invitation, the most flattering to national pride that exists in the annals of diplomacy, was denounced.

In favor of the appropriation, Mr. Webster contended that they had a right to our advice. Our example gave them the great lesson of independence; our struggles taught them perseverance; our success animated, and our prosperity had encouraged and inspired them; they had copied our political institutions, and the characters

of our heroes and statesmen were the objects of their emulation and respect. He pointed out, in an effort of great power and eloquence, the advantages to be derived, not only to ourselves, but to the world, from the discussion of the principles of international law, the unsettled state of which had given rise to controversies and even hostilities between the maritime powers of Europe and America; to regulate all the conduct of belligerents towards each other, and ascertain the rights of neutrals. He regarded, in short, the Congress at Panama as a body in which would be considered various subjects, embracing, in general terms, the political and commercial relations of the United States with the American Republics; that it was merely a meeting of diplomatic agents, clothed only with power to discuss and negotiate concerning those topics, and not to commit the Government to any definite purpose; that the established principles of our diplomatic intercourse was to maintain diplomatic relations with those with whom we had political and commercial relations; and that the principle applied with peculiar force to the case under consideration, and required a representation at Panama by an accredited agent.

With the view of arresting the appropriation, certain restrictions, deemed wholly inadmissible, were, by the opponents of the measure, endeavored to be attached to it. In other words, the House of Representatives assumed the power of giving directions and instructions to the Executive Department, in relation to a mission which they constitutionally instituted.

Mr. Webster contended that the amendment offered by Mr. M'Lane, of Delaware, was unconstitutional, as it was taking the proper responsibility from the Executive, and exercising by Congress a power, which from its nature belongs to the Executive, and not to Congress. It was prescribing by Congress instructions for a minister abroad.

There is no principle better established than this, that the right of instruction and the mode of conducting a negotiation are as essentially executive powers as the appointment of the minister who is to conduct it; and to take one of these powers into the hands of Congress was as flagrant a breach of the constitution as the other. This new doctrine, thus laid down, that, because Congress has the general power to grant or refuse an appropriation, they have also the right to annex conditions to the grant, is unfounded in principle, and would be subversive of the constitution, if carried into practice. The President plans the mission, and selects the minister to execute it; the nature of his executive functions, the knowledge of our foreign relations, that he alone possesses, renders this power in his hands particularly proper. The Senate, a wise, and nearly a permanent body, by the gradual and partial change of its members, preserving its knowledge of the nature of our connections with other nations, must sanction the appointment by their consent, and may modify it by their advice. The Senate stands as a check, and a

powerful check, on improper missions, as well as the selection of incompetent persons to fill them. In all this the House of Representatives takes no part, and can, from its very construction, take no efficient part. Too numerous for secrecy, which is often demanded; too inconstant in its character to possess an accurate knowledge of our foreign relations; too unmanageable, as regards numbers, to unite the opinions of a majority on the delicate questions of foreign policy, the House of Representatives is wisely excluded from the treaty-making power.

Mr. Webster was indisposed to disturb the admirable harmony of the parts, or destroy the appropriate distribution of power that the constitution had made. If the views of those who concocted the restrictions proposed should be considered the established interpretation of the constitution, Mr. Webster contended that the admirable system in which the construction of each department is so well adjusted to the performance of the duties which are assigned to it, would be totally destroyed by the dangerous doctrines then insisted upon. He was for confining each department within its appropriate orbit of influence. In taking this stand, he sustained the same principles that were advocated by the Republican party in 1815, as regards the attempt to impose restrictions on the treaty-making power. No statesman of the country, no member of either House of Congress, has exhibited the great departments of the Government in equal grace and majesty of beauty. The stamp of genius which these delineations bear, the imposing attitude which they assume, will long be cherished in remembrance as the true and acknowledged divisions of power between the departments of the Government. The impulsion, the soul, the *spiritus rector* of the American Government, depends on a harmonious understanding and co-operation of all the departments of power.

Having anxiously and attentively marked the progress and studied the tendency of political power during the whole period of his service in Congress, Mr. Webster was firmly and solemnly impressed with the conviction that the preservation of an equilibrium between the co-ordinate departments of the Federal Government, practically asserted and maintained, was the only barrier which could arrest this Government in its fatal proclivity towards absolute despotism. Free the departments, the executive, legislative, and judiciary, from all checks, and no safeguard is left against oppression. However they may be amalgamated in the crucible of executive communications under the two last Administrations, or of speculative theory, the history of this Government bears testimony that the several departments of the Government are, in point of fact, distinct and separate, and mutually independent of each other. At all times and on all occasions Mr. Webster has been in opposition to the doctrine of concentrating undue power in one of the departments. He has resisted, with all his ability and splendid eloquence, the assumption of power not warranted by the constitution.

Mr. Webster, it is said, is friendly to a regulation of the tariff of duties, with a view to the encouragement of American manufactures; and this is clamorously urged against him as a serious objection to his political principles.

This objection seems to have been treated before the public as if Mr. Webster were the founder of a new and odious doctrine, and the father of the odious measures to which it had given birth. So far is he from being the founder of the doctrine, that it is traced to the earliest and purest times of the Republic, avowed and acted upon from the foundation of the Government, when the father of his country presided over its destinies. Before the adoption of the Federal constitution, the power of regulating commerce and imposing duties on imports, belonged to the State Governments; and such of the States as deemed it expedient, so regulated the tariff of duties as to give encouragement to their manufactures. The constitution transferred to the Federal Government, by express provision, the power of regulating commerce and of imposing duties. An act passed at the first session of the first Congress held under the constitution, advocated by James Madison, and signed by George Washington on the 20th of July, 1789, contains the first tariff of duties on imported goods laid by the General Government; and its preamble recites that it was "necessary for the support of Government, for the discharge of the debts of the United States, and *the encouragement and protection of manufactures*." This doctrine was acted upon by every succeeding Administration, by the elder Adams, Jefferson, and Monroe.\* The policy of protecting manufactures was recommended by them all; the tariff was increased from time to time with a view to that object; and yet no champion of the constitution, though many bold and able there were, always at their posts, ever charged the authors of these measures as invaders of the constitutional ground.

In 1816, to demonstrate the national importance that would result from a complete protection to manufactures, Mr. Calhoun endeavored to establish the postulate, *that the wealth of a nation could not exist without a system of manufactures*. The Southern States announced their determination to support the system.

In 1821, the Legislature of South Carolina adopted a report, urging upon Congress, in strong and earnest language, the necessity of extending protection to domestic industry. This report contended "that the power of enacting all laws relating to commerce, was expressly given up to the States, and vested in Congress." 2d. "That the tariff was a part of that enlarged and uniform system of

\* Our manufactures will require the continued attention of Congress. The capital employed in them is considerable, and the knowledge in the machinery and fabric of all the most useful manufactures is of great value. *Their preservation, which depends on due encouragement*, is connected with the interest of the country. (See President Monroe's Message, December Session, 1817.

regulating the commerce of the country, which led to the calling of the convention which formed the constitution."

In 1820, numerous memorials from the State of South Carolina, were presented to the House of Representatives, stating their opposition to a reduction of duties.

The memorial from Charleston took similar grounds in favor of the tariff, and evinced a strong disposition to oppose all measures to break down the manufacturing interests of the country.

Thus it is, we find, upon a fair and impartial canvass of the history of the country, that the South laid the foundation of the protective system; and if it has been continued, with the view of fostering this interest, nourished into existence by the South, they are to blame, and not those who opposed the adoption of the system, for the mischiefs which they allege it has produced. In 1820, another proposition was submitted by Judge Baldwin, to increase the duties and to establish a protective tariff.

In 1824, a similar proposition attracted the attention of Congress. Mr. Todd, of Pennsylvania, Chairman of the Committee on Manufactures, reported a bill augmenting the scale of duties, and giving additional protection to our domestic manufactures. Those who voted for the tariff, in 1824, we find stand thus: Messrs. Benton, Dickerson, Jackson, Johnson, of Kentucky, and Van Buren.

I shall not enter upon a formal exposition of the theory of Mr. Webster, as his principles are laid down with too much force and clearness, and illustrated with too much power and ingenuity, to require any elucidation at my hands. In 1824, he contended that a genuine commercial spirit—that spirit which is a permanent source of wealth and power—is altogether unaccustomed to the dark and shallow policy of restrictions. All commerce, he contended, is founded on principles of reciprocity; and that country will certainly prosper most, and have the foundations of her greatness best secured, who is a universal merchant, and deals with the merchant on fair and liberal principles. He stood on the floor of Congress, as the able advocate of the shipping and the navigating interests. He was for pushing the commercial energies of the nation to the highest conceivable point—to leave them unrestricted—to leave them free and unshackled, so as to enable them to expand according to the wants and refinements of the age.

It is asserted by one of the philosophic writers of the eighteenth century (Beattie) that the astonishing credulity and profound ignorance that pervaded the world during the long night of intellectual darkness which succeeded the subversion of the Roman Empire, was not owing more to the universal neglect of learning, than to the want of industry and commerce. In the absence of commerce, all intercourse ceases. Independent of being the source of national and individual wealth, commerce does more in refining and softening the manners, and directing the intercourse, and fixing the social habits, and dignifying the character of man, than any other blessing

ever bestowed upon him by his Creator, except the Christian religion, in the spreading of which it has been a powerful agent.

Mr. Webster's speech on this great and momentous question, is not only one of the most original and profound investigations of the political economy of this important policy which has been made on either side of the Atlantic, but it was likewise one of the most touching admonitions of the bitter fruits which this innovation upon an established system was likely to produce in the fullness of time.

In 1827, Mr. Webster took his seat in the Senate of the United States, as the successor of E. H. Mills. It may be remarked, that he took his seat in that distinguished body, apparently regardless of the hostility that surrounded him. His principles never were the offspring of a timid policy. His views upon all questions were freely expressed and fully made known. The path of duty lay plainly exposed to his view, and his purpose was to pursue it.

In 1824, it is admitted that Mr. Webster opposed the adoption of a protective tariff. The tariff was not a measure of the East; on the contrary, until the policy was irrevocably adopted, she always opposed it, up to the year 1824. Virginia had given more votes in favor of it than Massachusetts. The State of Massachusetts was then blamed, because she would not vote for it, and now she is blamed, because, accommodating herself to the situation into which she was forced by the legislation of the Federal Government, she sustained it. Prior to the adoption of this measure, the people of the Eastern States were extensively engaged in the pursuit of commerce. There is, indeed, no people whose career has been so extraordinary; and sure we are, that there is none whose history is more worthy of being studied by all who wish to acquire an intimate knowledge of the circumstances which elevate a commercial people to a high pitch of prosperity. They were extensively engaged in the pursuits of a gainful commerce. Such were its temptations, that it engaged the whole floating capital of the country, and a great part of its enterprise; and every other occupation was considered as secondary and subordinate. This extraordinary success was attributable partly to our local situation—partly to the native enterprise of our citizens—but primarily to the unparalleled succession of events in Europe. The tariff act of 1824, having broken up the policy which had been so propitious to the commercial interests of the Eastern States, their capital was diverted from its usual channels, and invested in the establishment of manufactures. It now became the declared policy of the Government, that the manufacturing interest should be supported by a protective tariff.

On woollen manufactures, the duty imposed in 1824 was found to be inadequate for protection, and the languishing state of that manufacture indicated the ruin of those engaged in it, without further legislative encouragement. This encouragement was also asked, on the ground that the British Parliament, contemporaneously with the passage of the law of 1824, and with the view of defeating

it, modified its revenue laws, for the purpose of placing the British woollen manufacturer upon a better footing than he was before. As the law of 1824 was intended to give our manufacturer a comparative advantage over the British manufacturer, there was an obvious propriety, *provided the policy was correct*, in adopting further measures counteracting the British acts passed with the view of defeating that object. Upon these grounds, and other considerations, the bill was supported. But the Senate refused to pass it. In 1827, a deep excitement pervaded the States interested in the manufacturing system. The Harrisburg Convention assembled on the 30th of July, 1827, to take into consideration the condition of the tariff interests; an elaborate address was presented to the consideration of the people, setting forth the necessity of augmenting the duties on certain imported articles, with the view of giving further protection to the manufacturing interests and in 1828, a scheme was presented to the consideration of Congress for that purpose, and received the sanction of both Houses.

Mr. Webster, after a full review of the situation in which he was placed, and the employment of that reflective power of mind with which a statesman ought to contemplate the general character of one period, and to compare it with the character of another, as superinduced by circumstances, and thus deduce important results, determined to modify his views relatively to the tariff, and cherish the system of policy which had brought into existence numerous manufacturing establishments, in the Northern and Eastern States, and supported the tariff propositions in 1827 and 1828. Mr. Webster's constituents had, in a very audible tone, announced their opinions in favor of the tariff system. "*When Jehovah is abroad, let the nations of the earth be still,*" was the language of sublime reverence; and I will say, when the people, whose voice was to the representative the voice of God, were about to speak, it was the duty of their servants to listen in respectful silence. If Mr. Webster had have acted otherwise, and adhered to the opinions as expressed by him in 1824, he would have disregarded, most grossly, this expression of the public opinion, and involved his constituents in ruin.

In this country, public opinion is the inspiring and reforming plastic seal of a republic; and whoever attempts to separate the one from the other, and sustain a Republican government, attempts to constitute a world without a sun.

In discussing a question so complicated or involved as that of the practical operation or ultimate effects of the tariff, upon the various interests, and the several subdivisions of the Union, those who sincerely seek after the truth, naturally endeavor to dissipate all uncertainty and confusion which arise from the complexity of the subject. Accordingly, it seems to have been a leading object of Mr. Webster, in his speeches on the tariff, to resolve the great question in controversy into the most plain and elementary propositions.

It is needless to discuss and elucidate the propositions advanced

by Mr. Webster in support of his views. They may be regarded as so many political equations, each calculated to furnish a plain and palpable standard, by which the operation of the tariff, as a system of protection, may be precisely estimated, and clearly and distinctly perceived by the most ordinary understanding. The eloquent and able speech which he made in the Senate, in 1827, drew forth the most gratifying applause from every part of the Senate, and was warmly acknowledged to display a perfect acquaintance with the situation of the country, as well as a manly and truly patriotic spirit. Having before, in an analogous question, displayed the most brilliant talents and powerful eloquence, he now gave full proof of a firm and strong mind, under the guide of a sound understanding and sober discretion; and the admiration of these qualities, both splendid and substantial, was greatly heightened by the consideration that he was defending a system which he had formerly condemned, and was developing his views, showing the conformity of his action to the views and interests of his constituents. He was bound, therefore, to be guided by the principles of prudence and duty, and to conform to the current pressure of circumstances, rather than to his own notions upon the subject. He was, in short, to navigate the sea of his country's prosperity, upon which he boldly launched, not upon the path laid down in his chart, but upon a course adapted to the object of the voyage, and to the force and direction of the tides.

Mr. Webster has always held the most enlightened opinions on all subjects of mercantile policy. Here his mind seemed cramped by no bias, and his profound understanding and habits of observation led him right. His writings and speeches abound with great and original reflections upon these matters, and they form a striking contrast to the narrow views which are too frequently exhibited in the investigation of subjects intimately associated with the greatness of the country.

That a statesman may sometimes change his opinions without implicating his morality or impairing his wisdom, is, certainly, a manifest proposition; indeed, he cannot do a better thing than to get rid of his bad opinions and adopt those that are good; and the sooner done the better. But these conversions must have relation to the circumstances in which the individual is placed, his probable motives, and the subject on which this change of sentiment is founded.

On the tariff question he sacrificed his opinions at the shrine of his country's welfare. He periled his political reputation, which a great statesman considers of high value. He exposed that *mount* which had been erected against the tide of time by laborious and almost imperceptible accretion, to the destructive swell which, in one unfortunate day, might have swept it into oblivion. This is that moral courage of which modern history furnishes but few examples, because human nature is not so generous for its development; this is the refinement of that natural ambition which it is the duty of a people to cherish, and their happiness to reward.

The idle imputation of sinister motives, thus, then, appears to be

utterly unfounded, when the whole ground is surveyed upon which Mr. Webster acted; unless, indeed, the ethics of a certain fashionable moralist should be received, always to impute a bad motive to an unexceptionable action, in disrespect to the evangelical rules of the old school, to regard the infirmities of our nature with so much charity and tenderness as always to presume a good motive from even a questionable action.

This plain interpretation which I have endeavored to lay down as regards Mr. Webster's situation in 1827 and 1828, in relation to the several propositions to augment the duties on certain imported articles, did not occur, it would seem, to Dr. Linn, who took an occasion during the last session to denounce Mr. Webster, on account of this modification of his principles.

Now, Mr. Van Buren is every thing with the Opposition; he is their glory, their *decus et tutamen*; but the moment I shall remind them of Mr. Van Buren's supporting the tariff policy, I have no doubt they will sink the image of their god, and cast it from them.

It is a matter of political history that Mr. Van Buren gave his support to the tariff of 1827 and 1828.\* That he recognised the constitutionality is undeniable. His friends may attempt to disguise his conduct in reference to this measure; they may involve it in boisterous expressions; they may cover it over with flimsy pretexts; they may turn periods upon periods in their apologetic addresses, and follow it up, in debate, with a cloud of similar periods, endeavoring, as it were, to veil his conduct upon this question from our

\* In 1833 Mr. Calhoun submitted a series of resolutions embodying the leading points of his political creed. The day after these resolutions were presented, Mr. Grundy, of Tennessee, a leading friend of the Administration, offered, in the form of an amendment, a series of counter resolutions, in which he asserts the constitutionality of the particular operations of the General Government to which South Carolina had taken exception. The 4th resolution is as follows: "That the tariff laws of 1828 and 1832 *are exercises of the constitutional power possessed by the Congress of the United States, whatever various opinions may exist as to their policy and justice.*" Mr. Grundy here explicitly recognises the constitutionality of the tariff. It is well known that he was the mouthpiece of the Administration, and was subsequently one of the cabinet ministers of Mr. Van Buren. Here is a clear, distinct, and indisputable admission of the principle of protection.

In reference to the support which Mr. Van Buren gave to the tariff of 1828, I refer to a letter addressed to General Davis, of Mississippi, by Thos. H. Benton, in which he states that, in 1827, Martin Van Buren was opposed to the tariff of that year, but in 1828 supported it. As regards his (Mr. Van Buren's) opposition to the Woollen Bill, as asserted by Senator Benton, I refer with confidence to the speech delivered by Mr. Van Buren on the subject of the tariff. "True, Mr. Van Buren voted for the tariff in 1828, notwithstanding his speech in 1827." Again: "Although my official acts in relation to the protective system might be regarded as rendering the avowal unnecessary, I think it nevertheless proper to say that I believe the establishment of commercial regulations, *with a view to the encouragement of domestic products, to be within the constitutional power of Congress.*" (See Mr. Van Buren's letter to Joseph W. Bryan and others, of North Carolina, October 4, 1832.)

eyes; but we perceive it through the cloud; we blow it away, and still we contend that he has been the friend and supporter of the tariff policy, to the same extent that has characterized the conduct of the Secretary of State.

From this brief historical review of the tariff question, it must be obvious to all who are at all conversant with political matters, that this system of policy, now so much denounced, owes its existence to those who are now laboring to prostrate it; that the Republican party have uniformly sustained it, and that its constitutionality, as well as expediency, have been fully recognised by successive Congresses and Administrations; that it has received the support of Jefferson, Madison, Monroe, Jackson, Van Buren, Johnson, of Kentucky, the late Vice President, and Calhoun, of South Carolina, as also many of the Southern States. Then why is the support which Mr. Webster has extended to it to be raised as an objection to him, while in others it is selected as a fit subject of eulogy?

I have thought it to be due to all parties and to the character of the country, to present this brief exposition of this agitating question, which has been the subject of general misapprehension, not only for the purpose of exhibiting the true character of the tariff controversy, but for the purpose of showing the part which several distinguished men performed in introducing the American system, and the sections of country which have, at several disjointed periods of time, favored its continuation. If the tariff was fatally bent upon the destruction of the Southern interests, upon the ruin of our commerce, it will be found upon examination that the friends of the protective policy were encouraged in their movements by Southern statesmen and Southern memorialists.

During the administration of Mr. Adams, the power of Congress to appropriate the public funds for internal improvements, especially for roads, was frequently debated and called in question. The exercise of this power has been called a Federal measure. As Mr. Webster has been accused of advocating the exercise of constructive powers, regardless of the limitations contained in the constitution, I flatter myself that a retrospective view of the opinions of Mr. Webster will not be misplaced. This course is pursued with the view of showing that the scheme of internal improvements originated at an early period in the history of the Government, and has received the recognition of the successive Administrations of the Federal Government from 1806 up to 1830, in various forms and shapes.

I will observe, that in all the speeches and documents which owe their existence to Mr. Webster's prolific and vigorous mind, there is apparent throughout a deep and confirmed veneration for the principles and forms of our free institutions, an active faith in man's capacity for self-government, and an unconquerable hostility to arbitrary or oppressive power in whatever form it may exhibit itself.

Upon the most rigid investigation of his speeches, not a line or a word will be found of any infringement upon the acknowledged rights of the States as secured to them by the constitution; nor has he ever advocated the exercise of constructive powers, but such as have been exercised and sanctioned by the fathers of the Republic. On the contrary, as a Senator he constantly repressed extraordinary exertions of power, steadily resisted the encroachments of the different branches of the Government upon the province of each other, and firmly vindicated the sovereignty of the States. He always held the Government of our Union to be a Government of limited power; that Congress could not lawfully exercise any power not granted to them by the people in the constitution. He views the constitution as the fundamental law, instituted by the people for administering the affairs of a great nation, and he repudiates the theory that seeks for the interpretation of language that will leave it the most inconsiderable amount of power. Both his opinions and affections bind him to it as a Government supreme in its delegated powers, emanating from the people, designed for their welfare, possessing their fullest confidence, protecting their sovereignty, and no more to be confined in the spirit of jealousy within less than the legitimate dimensions of its power, than to be enlarged beyond them in the spirit of usurpation. These are his principles, and he has on all occasions interpreted this valuable instrument by this rule.

What do politicians mean by a strict construction? If they contend only against that enlarged construction which would extend words beyond their natural and obvious import, we might question the application of the term, but should not controvert the principle. If they contend for that narrow construction which, in support of some theory not to be found in the constitution, would deny to the Government those powers which the words of the grant, as usually understood, impart, and which are consistent with the general views and object of the instrument; for that narrow construction which would cripple the Government and render it unequal to the objects for which it was declared to be instituted, and to which the powers given, as fairly understood, render it competent—then we cannot perceive the propriety of this strict construction. As men whose intentions require no concealment generally employ the words which most directly and aptly express the ideas they intend to convey, the enlightened patriots who framed our constitution, and the people who adopted it, must be understood to have employed words in their natural sense, and to have intended what they have said.

Now let us examine the action of the Government, and see how far the doctrine of "constructive powers" has been recognised. In doing so, I shall purposely *abstain from all reference to the administrations of Washington and the elder Adams. Theirs were days of Federal predominance, and we must of course presume on latitudinarian construction.* And although it has since been discovered, that "there were more things in heaven and earth than

were dreamed of in their philosophy," yet I would not tempt the indignant rage of some politicians, by appealing to an authority, in connection with which they have been taught, perhaps, to lisp the odious epithet of *federalism*. I prefer to confine myself to an authority which cannot be contested—to those golden days of the Republic, when the question is said to have been, not how much power was necessary to administer the Government *well*, but with how little it could be administered at all; and if I should show, that even in those days *appropriations* were occasionally made, which, if not justified on the ground that they were required by "*the common defence and the general welfare*," must be either wholly without authority, or must rest for their justification on a *rule of construction*, infinitely more extended and more alarming than any that has hitherto been suggested. If I can show this, I trust I shall place Mr. Webster's constitutional doctrines upon this head, on as firm a basis as that of any other good Republican, and in perfect conformity with those which the fathers of the Republic supported. The laws of antecedent *Republican* Congresses, approved of by successive executive magistrates, and the acts of executive magistrates themselves, will be referred to, as an evidence of the legislation on the subject.

In the first place, it will be remarked, that by the act of March 31, 1803, Congress concluded a compact with the State of Ohio, by which *three per cent.* of all the moneys derived from the sale of public lands within the State of Ohio, were reserved for the construction of roads within that State. The consideration was, that the lands of the United States in that State should be taxed. Whether by inadvertence or *intention*, this act clearly acknowledged the power of the General Government to make internal improvements; for the appropriation was made by the United States, and the funds were derived from the property of the United States.

But by the act of the 29th March, 1806, confirmed, amended, and enlarged by subsequent acts, a road was directed to be laid out and constructed from Cumberland in the State of Maryland, to the State of Ohio, upon obtaining the *consent* of the States through which it should pass. The fund provided for this undertaking was to come out of the proceeds of the sales of certain lands, the property of the United States, in the State of Ohio; so that this act furnishes the double admission, that "roads may be laid out by Congress through the several States with their consent," and that the expenses of constructing such roads may continually be defrayed out of the funds of the United States. The act was approved by the President in office, Mr. Jefferson, in 1806, and other acts confirming, amending, and enlarging it, were passed by subsequent Legislatures, in the years 1810, 1811, and 1815, and approved of by the President in office, at those periods: nay, more, the three last acts contained appropriations for a large amount payable out of moneys in the Treasury.

Similar to this act, and, in some of its provisions, analogous in principle, are the acts of April the 21st, 1805, and of the 3d of March, 1817, authorising roads to be opened from Nashville and Reynoldsburgh, in the State of Tennessee, to different points in the State of Mississippi.

In 1817, the expenditures on the Cumberland road having exceeded the proceeds of the sales of public lands in Ohio, a bill was passed making liberal appropriations for its extension and completion. The President of the United States objected to the bill, on the ground that the constitution did not extend to making roads and canals, and improving water-courses through the different States; nor could the assent of those States confer the power. Afterwards, in 1822, the President objected to a bill appropriating money for repairing the Cumberland road, and establishing gates and tolls on it.

In Mr. Monroe's first message to Congress, in 1817, he declared his agreement with his predecessors, and doubts of the constitutional power of Congress over the question prosecuting a system of internal improvements by the expenditure of the revenue of the Federal Government. After the passage of the *resolution of Congress*, in 1818, affirming the power, he is understood to have withdrawn his opposition, and during his administration, appropriations for such purposes greatly increased. In 1822, however, he placed his veto on the bill for the erection of toll gates, and the collection of tolls on the Cumberland road. This he considered as requiring the jurisdiction and sovereignty of the soil, which the General Government did not possess.

It is a historical fact, that Mr. McDuffie assumed the doctrine of the "common defence and general welfare," as one of the grounds of justification for appropriations to internal improvement, and it was the only consideration by which Mr. Monroe could be induced to sign a bill, providing for the necessary means for repairing the Cumberland road. Mr. Calhoun has maintained that position on more than one occasion; and I am very much mistaken if Mr. Lowndes and Mr. Cheves will not be found to have been among its most eloquent and powerful advocates on the floor of Congress. Upon what other grounds than the "*common defence and general welfare*," can Mr. Van Buren justify his support of the bill to establish toll gates on the Cumberland road, than those assumed by Mr. Calhoun?\*

\* General Jackson, while in the Senate of the United States, was no less decided in his opinions on the long disputed question as to the constructive powers of Congress. During his short term of service the following bills, providing for internal improvements, came under consideration: 1st, a bill authorizing a road from Memphis, in Tennessee, to Little Rock, in Arkansas: 2d, for making certain roads in Florida: 3d, a bill to procure surveys for roads and canals: 4th, a bill to improve the navigation of the Mississippi, Ohio, and Missouri rivers: 5th, a bill making a road in Missouri: 6th, a bill to subscribe to the stock in the Chesapeake and Delaware Canal Company: 7th, a bill to extend the Cumberland road to Gainesville: 8th, a bill subscribing to the stock of the Portland and Louisville Canal Company. On the passage of these bills, General Jackson's name stands recorded in the affirmative.

Thus it appears, that if Mr. Webster has erred in the support of the doctrine of constructive powers, he has erred with the great Republican party. That if these doctrines have become tainted *with federalism*, it is a matter which weighs upon the consciences of those stern Republicans who introduced such doctrines in the political church; and surely Mr. Webster ought not to be visited with the pains and penalties of violating its canons, when the high priests have interpolated new principles into its government, and subverted the old order of things.

These were some of the important measures which were agitated in Congress during Mr. Adams's administration. His administration will long be remembered in the annals of America. Men of the highest talents and most commanding influence in the Union were then assembled, and arrayed with all the partiality of party spirit, and all the zeal of conscious responsibility against each other. Every important measure of the Administration was subjected to the most scrutinizing criterion, and were vindicated with a warmth proportionate to the ability of the attack. Mr. Webster took an active part in the debates, and on every occasion distinguished himself in a manner which will not easily be forgotten.

On the 4th of March, 1829, General Jackson was inaugurated as the President of the United States.

The Administration we are going to describe will appear vastly different from that we just closed. Instead of an uninterrupted, pleasing harmony of Government, we shall meet with a perpetual jarring dissonance; instead of success, disappointment; instead of satisfaction, prosperity and union, we will find discontent and distress; and at last dissensions between a State and the Federal Government will present themselves to us in all their horrors.

The politician who recollects any thing of the conduct of the administration of General Jackson, cannot require to be informed, that the constitution of this country suffered deeply in their comparisons of it with the brighter age of republicanism, and that the limitations which it contains were stamped with *that* flexibility which rendered it a resistless instrument in the hands of the Executive, in subduing the advocates of our established institutions, upon whose liberal purposes the genius of locofocoism professed to have cast an approving smile.

It is a matter of history, that General Jackson came into power by a strong popular vote. The political character of no man has been exhibited to the gaze of the present generation in lights more contradictory than that of General Jackson. His admirers, transported with his professions, have magnified his talents and virtues to excess, and thrown an almost celestial splendor over every part of his conduct, while the other party have spread the gloomy shades upon the canvass, and obscured many traits which have been justly the theme of eloquent encomium. Indeed, he was represented by many as a mere pageant without a will of its own, and which had

been capable of giving countenance to the worst actions, at the instigation of the worst men—a sort of Moloch whose habit was to compel the greatest sacrifices.

General Jackson, viewing his authority as unlimited, failed not to regard every exertion of power of a co-ordinate department of the Government as an encroachment; these lofty ideas of executive authority, which were accorded to him by his party, and to which his views of the constructive character of the constitution gave so plausible an appearance, were firmly riveted in him, and however moderate his views may have been in early life, the overwhelming and violent character of his temper, united to his constructions of executive prerogative, made him conceive his political tenets as certain and incontrovertible. Taught by the supple doctrines of his party to regard the laws and constitution as mere lines to direct his conduct, and not as barriers to resist his power, he viewed every attempt to erect new ramparts to resist his aggressions, as a conspiracy, in order to straiten his authority; and this resistance appeared to him but one degree removed from actual sedition and rebellion. By his latitudinarian interpretation of the constitution he was accustomed to assume every branch of power which was found necessary to consummate his unconstitutional purposes. Expediency, at other times, could wear the appearance of necessity; and in proportion as precedents multiplied, his *will* alone was sufficient to supply the place of expediency, of which he constituted himself the sole judge, and last appeal.

Such political doctrines produced a bond of union, by which General Jackson's friends obliged themselves to support and defend each other against all opposition whatever. Politicians, maintaining a great diversity of opinion, flocked to the subscription of this political covenant. Few in their judgment disapproved of it, and still fewer dared openly to condemn it. The consequence of such a change in the state of things may be easily anticipated by those who entertain proper views of the action of the Government. For no sooner do we perceive the teachers in the church, who, in former periods, were most conspicuous in denouncing the enlargement of executive power, animating their party to a patient continuance in bearing the cross—no sooner do we see them clothed with power, than the whole of their lives seem to have been devoted in maintaining it, and aspiring at still higher dominion and rule.

General Jackson, partly by the vigor of his administration, and partly by the concurrence of favorable circumstances, had been able to establish a regular system of despotism. The Senate became in a great degree the organ of executive will and pleasure; opposition was regarded as a species of resistance to the Government; the talents of intrigue and management were cultivated and appreciated; and though the House of Representatives still retained a small remnant of authority, and claimed the privilege of making appropriations of money, the members acquired not, upon that ac-

count, with the Executive, much more weight or consideration. What power was necessary for conducting the machine of Government, the President was accustomed himself to assume and administer, according to *his interpretation of the constitution*. During these dark days of the Republic, *executive power bestrode* both Houses of Congress; it legislated in one, and exerted a domineering influence over the other. Under the torpid touch of despotism, the patriotic spirit of the land shrunk into a narrow compass; confined to gaze with admiration on the proceedings of the executive—others were consecrated, and the “pool” of corruption putrified in peace. The friends of the executive cherished the form, while they repressed the spirit of the constitution; they persecuted freedom, and ornamented its sepulchre; the constitution, the production of patriots, the masterpiece of human policy, complete in all its parts, was stripped of all efficacy—no longer an instrument communicating authority, and enunciating duty, but the bleeding victim of despotic violence—its beauty and vigor ceased to be an object of admiration.

The most fatal consequences are always to be apprehended from breaking down the barriers which have been interposed between the executive and the national legislature. It is among the most certain maxims of political philosophy, that the independence of the legislature is no less essential to freedom, than that of the executive itself. Any scheme, therefore, which would invest the executive with legislative authority, may be regarded with suspicion. The *constitution*, as they all knew, consisted of three departments, each possessing separate powers and privileges, and necessarily co-operating, on such occasions as involved in them considerations affecting the general and common interests of the whole country. The balance and equipoise of these departments was so nicely adjusted, that as long as it kept its centre, the constitution must necessarily prove the source of liberty. From the exertions of influence, however, and from a variety of circumstances to be found in the eventful history of this Administration, it was apparent that the executive had in some measure departed from the true spirit of the constitution; and the people, with too much reason, complained that there was not that strict community of interests and language between the Congress of the United States and those that ought at all times to submit. This was a great practical grievance. Indeed, we may remark, that from the commencement of General Jackson’s administration to its termination, he kept the country without any ostensible Government.

*Curruque haret resupinus inani,  
Lora tenens tamen.*

At this important juncture in our affairs, opinions were still in a state of chaotic anarchy—intermingling, separating, advancing, receding. Sometimes the stubborn bigotry of a conservative class

of politicians seemed to prevail; then the impetuous onset of the reformers for a moment carried all before it.

Mr. Webster belonged, by nature, to that order of men who always take the front rank in political controversies. It is needless to relate how dexterously, how resolutely, how gloriously, he directed the Opposition in the Senate, during this eventful period, against the destructive measures of General Jackson's administration. He was luminous, dignified, and solid; no intrigue, no combination of rivals, could deprive him of the confidence of his party. Few men in the Opposition contributed more to rectify prejudice, to undermine established errors, or support a just mode of thinking, to excite an independent spirit of inquiry, than Mr. Webster.

When such alarming doctrines were promulgated by the President of the United States, immediately after his ascension to power, Mr. Webster conceived it to be his duty, as a Senator in Congress, to arraign the conduct of the Administration at the bar of public opinion. He would have been unmindful of that respect which he owed to the constitution—to the welfare, peace, and happiness of the people—if he had not raised his voice against such extravagant stretches of power as characterized the Administration. Educated as he had been in the principles of the constitution—having always cherished a reverence for the constitutional liberty of the people, and believing that the constitutional principles which he advocated, if not carried out uniformly into practice, the happiness of the people would be in jeopardy—he determined to resist every aggressive step taken by this Administration, calculated, in the slightest degree, to impair the vigor of these principles. In opposing executive encroachments, his arguments were always characterized by decision and eloquence. Sometimes they were spontaneous—always great, always shining with peculiar, with unequalled splendor; fascinating the imagination by the beauty of his language, and convincing the judgment by the force of his reasoning, and rousing the passions of the people by the magnificence of declamation, and his eloquent denunciations of the wrongs inflicted upon them by oppression and tyranny.

In December, 1829, a new Congress assembled. They were now to review the transactions of an Administration composed of men of distinguished talents. The new Administration entered upon their duties with the particular and distinct declaration, that all those who had preceded them had been in the wrong; that every thing required correction and amendment; that nothing was in its place; that the vigor of our constitution was impaired, and our character abroad degraded.

At a very early period in the history of the session, Mr. Webster took an opportunity of announcing to the Senate the course he intended pursuing towards the Administration. Shortly, however, after this announcement, Mr. Foote, of Connecticut, introduced a resolution, "inquiring into the expediency of limiting, for a certain

period, the sales of the public lands only as have heretofore been offered for sale, and are subject to entry at the minimum price."

When this resolution was taken up on the following day, it was opposed on the ground that it was a part of a systematic policy for crippling the growth of the West. Mr. Hayne, of South Carolina, took a prominent part in resisting the adoption of the resolution. Instead of confining his remarks to the points involved in the resolution, the utmost latitude was taken, and the whole policy of the Eastern States was reviewed, and he imputed to them a decided hostility to the interests of the Western States. As Mr. Webster's course was called in question, he responded to these assaults made by the friends of the Administration, and proved, most demonstrably, that the members of Congress from his section of the State, had uniformly supported Western interests. They had, he contended, supported liberal plans as regards the sales and disposition of the public lands, sanctioned various appropriations for internal improvements, and aided in the extension of the Cumberland road.

But the State of South Carolina, having become hostile to the policy of the National Government, sought, through her representatives in Congress, the establishment of the novel, anomalous, and dangerous doctrine of nullification. The doctrine was announced on the floor of the Senate by Senator Hayne, distinguished as well for his ability as an accomplished debater, as for his lofty and independent spirit.

It may be observed, that a Senator has many important duties to perform; and the activity of his mind is constantly employed in the promotion of the public interest. He must watch the exercise of power in every department of the Government, and ascertain whether it is within the prescribed limits of the constitution. He is to study deeply and thoroughly the elements which compose the constitution, elements which are the results of genius and patriotism, acting upon the largest views of human experience.

It may be said, with truth, that Mr. Webster's mind is thoroughly imbued with the spirit and philosophy of the constitution. To support the principles of this valuable instrument, by which we have been led to happiness and glory, by which the country has been supported through every danger which it has been called upon to encounter, and risen superior to every difficulty by which it had been assailed; to mark out the boundaries of its power; to point out the proper sphere in which the sovereign States of the Union should move; and to frown down that spirit which looks to a dis-severance of the Union, became the grave and responsible duty of the Senator from the State of Massachusetts. The splendor of his reputation, the brilliancy of his eloquence, his long experience in both Houses of Congress, and the general accuracy of his views, all pointed him out as the great expounder of the doctrines of the constitution. His powers of mastering a given subject were not to be resisted by any degree of dryness or complication in its details;

and his fancy was lively enough to shed a light upon the darkest, and to strew flowers round the most barren track of inquiry. How the task was performed, the universal voice of the country can testify. He was fitted for it by the gifts of nature and by the results of education. He possesses a profound knowledge of the nature of the constitution and the intention of its founders, which he imbibed from the fathers of the Revolution. In no situation have the great talents of Mr. Webster appeared with more unclouded lustre than on this occasion. It would be difficult to find a speech in which so much elaborate argument is joined with so much splendid imagery, and so much eloquent literature with such a delicate perception of the distinguishing excellencies of the English language. It exhibits a profound analysis of the powers of the constitution, which kept up the ardor of his genius without disturbing the serenity of his mind. It is felt in his reverence for the constitution, in the generality of his praise, and the tenderness of his censures. It is felt in the hard blows which this great champion of indisputable faith and orthodoxy was ever dealing about him against the enemies of the constitution, and the inimitable acuteness with which he exposed dishonest sophistry. It is felt in the profundity of his researches, the clearness of his deductions, and the dexterity exhibited by him in parrying objections to the correctness of his views. Those who read this learned argument are not to be envied who limit their admiration to particular points, without being warmed by the glow of that honest triumph of correct views, and of that strong assurance in the final prevalence of those principles and patriotic sentiments which pervade every line of this extraordinary effort. In truth, there is nothing repulsive in any of the arguments advanced by Mr. Webster. There is nothing which any man of education may not read with ease and advantage; for, of all the statesmen who have discussed the constitution, Mr. Webster is far the most eloquent and attractive. The constitution, delineated by his masterly pencil, wears an aspect the most pleasing as well as sublime. That noble love of truth and justice by which he is actuated diffuses through every line an ardor and animation which can hardly fail to warm and interest every reader. He always relieved and decorated, even the most unpromising parts of the discussion, with the various coloring of his chaste and cultivated imagination. Such, indeed, are the great and engaging qualities of mind which Mr. Webster displayed, that even where there is reason to question the solidity or importance of any of his conclusions, it is impossible to dissent from him but with veneration and respect. In investigating the powers of the Federal Government, Mr. Webster contended that the Government of the United States was called into being by the people; that the people not only created it, but conferred upon it all its powers, and prescribed its limits by a written charter, called the Constitution of the United States. This appears from the history of the proceedings of the convention which

framed the constitution. He contended, also, that, if a State could decide the constitutionality of a law enacted by the national legislature, such an exercise of power was hostile to the existence of the Union. We think that his exposition of the constitution places this principle on the true foundation on which it should stand in such a Government as ours. Nothing can be more monstrous than that one or more States in the confederacy should be the judges to decide upon the action of the Federal Government.

It is essential to the vigor of this Republic, that the administration of all its parts should be uniform, founded on system, combined by similar principles, and directed to the obtaining of similar objects and views. Unity of power and an evident correspondence of system and action throughout the whole fabric of our Government, are the best securities which can be provided against the dangers to which we are necessarily exposed by the vast extent of the country and by the variety of interests which it embraces. If to the natural principles of division and discord, resulting from the remote location of many of the States of the confederacy from each other, and from the differences of local prejudices and conflicting interests, be added the establishment of distinct authorities, different in form and substance from the Federal Government, and exempt from its control, the weakness of the confederation must fall upon us, if a State can arrest the legislation of Congress. And in every arduous crisis, the power of the National Government will be found inefficient, in proportion to the efficacy accorded to the principles which were asserted on the floor of the Senate by a representative from the State of South Carolina.

Instead of allowing a State to interfere and arrest the execution of a law enacted by the Congress of the United States, Mr. Webster contended that the Supreme Court of the United States was the tribunal provided by the people of the United States for adjusting controversies arising out of the exercise of unconstitutional power.

Our Congressional history presents no parallel in the effect produced by what, for the sake of brevity, we will call his constitutional speeches, to that which Mr. Webster was accustomed to excite when he resisted the doctrine of nullification in the Senate. He may be said to have founded a new era in Congressional speaking, and to have raised this department to a consequence unknown. Subjects which, from whatever cause, had hitherto failed in attracting that general attention which their importance might justly have demanded, were now listened to with the deepest interest; and his speech on this occasion, on the points of the powers of the States and those powers possessed by the Federal Government, elaborate and unadorned as it was, on these imposing topics, raised an admiration and interest equal to that which attended the most eloquent efforts which have, on different occasions, occupied the attention of Congress.

This vindication of the constitution of the Federal Government, taken as a single performance, ranks, perhaps, as his proudest trophy, considering its length; the severe accuracy of its matter; how large a portion of it condenses the principles of our Government into one lucid view; the authorities that must have been investigated in preparing it; the impartial unity of the plan; its admirable arrangement and disciplined periods, it might be boasted of as a speech of such compass, so dignified, so powerful, so commanding, as one rarely equalled or seldom delivered in a deliberative body. From this celebrated speech, which has been justly considered the richest offering which genius and patriotism ever gave to an admiring country, the statesman may learn the true and only foundations upon which our Republican institutions rest. If all other of Mr. Webster's arguments had perished, his luminous views on this constitutional question, and his deep patriotic sympathy which meanders throughout the whole of this transcendent effort, would have given to his name an enviable immortality.

It is the most eloquent delineation of our republican form of Government, of its origin and its action; the most true, the most instructive, and the most monitory. It is the most instructive speech that ever was delivered on the necessity and value of the union of the States, and in the cherished hope entertained by those immortal patriots, that it might work and control the violence of faction, the fatal disease under which popular Governments have ever perished.

The peroration of this speech is truly magnificent. It is eloquent in a high degree; very argumentative, in parts, at least, presenting condensed recapitulations of numerous striking arguments, as it certainly ought to do, variegated with figures of bold research, but justified by the inspiration of the moment; and assailing his adversary with strong, commanding, and even indignant bursts of patriotic eloquence.

Indeed, the distinguished Senator appeared as if he were giving his parting advice and benedictions to his countrymen; and if he had worked up his mind to a mighty effort to vindicate those solid maxims of Government and policy by which alone the union of the States can be upheld and propagated.

In 1832, the President and Directors of the Bank of the United States, presented a memorial to Congress, praying for renewal of the charter of that institution.

At an early period of the session, a bill was reported in the Senate by the committee to whom the memorial was referred, re-chartering the Bank.

An examination of the constitutional question would require us to enter further into the matter than we wish or intend to go; we will therefore confine our observations to a brief history of the Republican party, in relation to the exercise of the power by the Federal Legislature over the question of creating a National Bank, and comparing Mr. Webster's principles with those of the leading poli-

ticians, who are recognised as the safest expounders of the acknowledged doctrines of the constitution.

It has never been contended that the right to establish a National Bank was derived from an independent, substantive grant of power. The right is derived by implication. There are no express words in the constitution to that effect; but the inference from the language employed is irresistible.

It is curious to witness the clamor which is occasionally excited, concerning the exercise of constructive powers, when Congress is never in session without acting upon them. A recurrence to past events will satisfy the most sceptic, that the exercise of constructive powers by the Federal Government has been conceded by a large proportion of the wisest and best men of our country, and has been sustained by the uniform practice of every Administration from the first to the last. How else can the appropriations made for the purchase of Louisiana and Florida be accounted for? for the repeated acquisitions of Indian territory—for ameliorating the condition of the savages—the law regulating the carrying of the mail—the Military Academy—light houses, and trading houses among the Indians—laws for the suppression of the slave trade—and above all, for the late act of grateful munificence to the venerable La Fayette? These are all the creatures of constructive power. So are the laws relating to revenue cutters, the navy hospitals, pensions, and gratuitous grants of money; and in the same description may be classed the laws concerning vaccination, and for the cultivation of the vine. Do Congress enjoy their library, maps, and stationary, by virtue of any express power? None of them can be brought within the enumerated powers of the Government. They are all, however, conducive, either directly or indirectly, to “the common defence” or “the general welfare,” and thus become “necessary and proper.” This alone has designated them as fit and proper objects to be accomplished. The principal acts of legislation since the existence of the Government, have been founded on constructive powers. The word “necessary” is the appellative—the *genus* which will take in the whole species, if there is nothing to narrow its scope. There is no such limit. There is not a syllable in the context of the clause to restrict the natural import of its phraseology. The power is left to the force of the generic term, and is therefore as wide as the necessitous condition of the country can make it.

The Supreme Court of the United States has carried out the rule prescribed by the constitution, according to its spirit and intention. “The powers granted must be such as are expressly given, or given by *necessary* implication.” “The instrument is to have a reasonable construction, according to the import of its terms.” “Where a power is given in general terms, it is not to be restrained to particular cases, unless that construction grows out of the context expressly, or by *necessary implication*.”—1 *Wheaton*, 326. Words which import a power should not be restricted by a forced construction

If a bank be a necessary institution, to enable the Government to perform its fiscal duties, then it is constitutional to exercise the power. These conclusions cannot be denied, without denying to the letter of the constitution its plain import, and to its spirit its most obvious and essential attributes: without affirming that those who have administered the Government from its foundation to the present day, have either misunderstood the character of their powers, or wantonly or habitually violated it.

It must be admitted that Mr. Webster has looked through the constitution with profound attention. He views it as the fundamental law, instituted by the people, for administering the affairs of a great nation, and he repudiates the theory that seeks for the interpretation of language that will leave it the most inconsiderable amount of power. Both his opinions and affections bind him to it as a Government supreme in its delegated powers, emanating from the people, designed for their welfare, possessing their fullest confidence, protecting their sovereignty, and no more to be confined in the spirit of jealousy within less than the legitimate dimensions of its power, than to be enlarged beyond them in the spirit of usurpation. These are his principles, and he has on all occasions interpreted this valuable instrument by this light.

The constitution has invested Congress with certain enumerated powers, and it is the generally received opinion, that the common defence and general welfare of the United States is to be obtained by the due execution of these powers; otherwise, there would be no limit. But the framers of the constitution foresaw, that Congress would frequently have to legislate on implication, in relation to these powers; and to remove all doubts as to the right, they gave this grant of power by an express grant of power. Congress is authorized to exercise all powers which shall be necessary and proper for carrying into execution the foregoing powers and others, vested by this constitution. From the nature of this power, no boundaries could be given. It is left to the broad principles of genuine construction. The limited powers were acted upon by the first Congress; but to give them greater efficacy, and the more completely to put them into execution, they were constrained to resort to the exercise of incidental powers.

The writers for the journals opposed to Mr. Webster, have represented his advocacy of a National Bank as an evidence of hostility to Republican principles. In their severe animadversions on his political career, they have always omitted to state the history of the Republican party, in reference to this much agitated measure. Now, without going into any examination of the state of things that existed in 1791, and the division of parties at that crisis, I will simply refer to another period in our political annals, equally as instructive, and proving most demonstrably, that Mr. Webster's opinions in relation to the constitutionality of a National Bank are in unison with the great Republican party in 1811.

On all questions of a political character, the course of Mr. Crawford, while in the Senate, was usually in accordance with that of his republican brethren. He spoke frequently and boldly in favor of the renewal of the charter of the Bank, and he obtained with his the votes of eight republican members. The Senate, it will be remembered, were equally *divided* on the question, and the venerable George Clinton, on the 20th February, 1811, gave his casting vote against the bill. In deciding against the renewal of the charter, he observes, "that the question to be decided does not depend *simply upon the right of Congress to establish under any modification a bank, but upon their power to establish a National Bank as contemplated by this bill.*" Here is a clear admission, that his opposition originated on account of some objectionable provisions incorporated in the charter, and he argues in favor of a bank under some general modifications.

From the journals of the Senate, I find that Messrs. Bradley, Brent, of Virginia, Condit, Pope, Smith, of New York, Tait, Taylor and Turner, of the Senate; and Messrs. W. Alston, Findley, Garland, Helms, Hufty, McKee, Miller, Newbold, Nicholson, Randolph, Summers, Show, Sheffield, Smelt, J. Smith, and Stanford, of the House of Representatives, all of whom were then well known as members of the Republican party, also voted for the renewal of the charter; nor in any of their debates against Mr. Webster have they ever shown the state of the facts as the journals of both Houses of Congress exhibit to our view.

In various parts of the Union, public sentiment was decidedly in favor of the charter. Many Republicans supported it, because they deemed such an institution essential to the interests of the country and the convenience of the Government, and because they had no doubts as to the constitutionality of the measure. Mr. Crawford was one of the number, perhaps the most prominent of the class. Experience has proved the correctness of the first position; and the people, through their representatives at a subsequent period, responded in favor of the other.

As regards the views of the party in reference to their votes on this measure in 1811, Mr. Madison remarks in a letter addressed to Mr. Ingersoll in 1832, "*that on the simple question of constitutionality, there was a decided majority in favor of re-chartering the Bank. It was defeated by a junction of those who admitted the power but disapproved of the plan, and those who denied the power.*"

And if further evidence is required of the views of the Administration in 1811, it will be found in the fact, that the Secretary of the Treasury, when applied to by a committee of the Senate for his opinion, expressly stated that he deemed a renewal of the charter of the Bank as essentially necessary to the fiscal order of the Government.

The overwhelming embarrassments of the national finances under which we labored towards the close of the war, paved the way

for the adoption of a system of administration as perfect as human wisdom, aided by recent experience, and a generous spirit of concession, and a patriotism as enlightened as it was disinterested, could possibly have been devised.

The suspension of specie payments by many of the most considerable banks in the United States, and of those most important in the money operations of the Treasury, produced great difficulties and embarrassments. The circulating medium of the country, which consisted of bank notes, was placed on a new and uncertain footing; and these difficulties and embarrassments had intermingled themselves to a very considerable degree into the pecuniary operations of the citizens in general. To remedy these evils, and to provide for the wants of the nation, and an adequate revenue to defray the expenses of the Government, Mr. Dallas, then Secretary of the Treasury, in October, 1814, presented a plan of finance, with the view of remedying the general want of confidence among individuals as well as the banks; *as also to improve the credit of the Government.* He observes that, "*the establishment of a national institution, operating upon credit combined with capital, and regulated by prudence and good faith, is, after all, the only efficient remedy for the disordered condition of our circulating medium.*" While accomplishing that object, too, there will be found, under the auspices of such an institution, a depository for the public treasure, and a constant auxiliary to public credit." Again he observes, that he "*would not merit the confidence which it will be my ambition to acquire, if I were to suppress the declaration, that in these times the establishment of a National Bank will not only be useful in promoting the general welfare, but that it is necessary and proper for carrying into execution some of the most important powers vested in the Government.*"

In the House of Representatives, the question of establishing a National Bank was referred to the Committee of Ways and Means, at the head of which was a distinguished republican, Mr. Eppes, of Virginia, and the son-in-law of Mr. Jefferson. The report of the Committee concluded with a resolution "*that it is expedient to establish a National Bank with branches in the United States.*" Mr. Clopton, of Virginia, requested information as to that part of the constitution which warrants the establishment of a National Bank. Mr. Eppes said, his "opinions of the matter had not changed—he had reported in obedience to the sentiments of the committee, and the reasons for it might be found in Mr. Dallas's report." Mr. Calhoun said, "*it was a useless consumption of time to argue the constitutionality of the measure—that point was well settled.*" The question on the adoption of the resolution was decided by the following vote: yeas 93, nays 54.

In the House of Representatives we find among the yeas, Calhoun, Cuthbert, of Georgia, Forsyth, King, of North Carolina, now a Senator from Alabama, and Lowndes, of South Carolina.

In the Senate of the United States, the bill to incorporate the subscribers to the Bank of the United States, received the following vote : for the chartering of the bank, yeas 17, nays 14. The whole of the Republican party supporting the bill, viz :

Yeas—Anderson, of Tennessee, Bibb, of Georgia, Brent, of Virginia, Bledsoe, Chase, of Vermont, Condit, Lacock, Morrison, Roberts, Robinson, Smith, Tait, Taylor, Turner, Walker, Varnum.

Nays—Messrs. Brown, *Daggett*, *Dana*, *Fromentin*, Gaillard, Gereman, *Goldsborough*, Gore, *Horsey*, *Hunter*, *King*, of New York, Lambert, Morris, and Thompson. Those in *italics* were *Federalists*.

This bill, which passed both Houses of Congress, and received the support of the Republican party, was vetoed by President Madison, not on the ground of constitutional objection, but because the "proposed bank did not appear to be calculated to answer the purposes of reviving the public credit, of providing a national medium of circulation, and of aiding the Treasury by facilitating the indispensable anticipations of the revenue, and by affording to the public more durable loans."

I proceed now to a review of the course of the Republican party on the subject of the bank, in 1816—that bank which Mr. Calhoun said in 1834, "owed its existence to him more than to any one else in the country, and would never have been chartered but for his efforts."

In his annual Message of December 5th, 1815, Mr. Madison brought to the attention of Congress the subject of an uniform currency, and, as connected therewith, a National Bank.

On the 6th inst.—the second day of the session—it was resolved, "that so much of the President's message as relates to an uniform national currency be referred to a select committee." And the subject was accordingly referred to the following committee: Mr. Calhoun, of S. C., Mr. Macon, of N. C., Mr. Pleasants, of Va., Mr. Hopkinson, of Pa., Mr. Robertson, of La., Mr. Tucker, of Va., and Mr. Pickering, of Mass.

Mr. Calhoun was placed at the head of the committee. Through two succeeding sessions of Congress, he had been the never-tiring champion of the Bank; and that circumstance, doubtless, indicated the obvious propriety of the thing, induced the Speaker of the House to place him at the head of this important committee.

On the 8th of January, 1816, Mr. Calhoun reported a bill "to incorporate the subscribers to the Bank of the United States;" which bill constituted the charter of the late United States Bank. It must be remembered, that this committee was constituted of five Republicans; two distinguished Virginia statesmen were placed on the committee.

The vote in the House of Representatives, in 1816, upon the adoption of the charter, was of a party complexion, all of the Republicans voting for the charter and the Federalists against it. The

wisest and firmest men, the most consistent and strenuous advocates of States' rights, seemed overcome by a sense of high and commanding necessity; and the State of Virginia, though it would not give its positive assent to the measure, yet gave a negative support, by withdrawing its opposition.\* Mr. Madison was then President of the United States, and gave his approbation to the charter, avowedly yielding his private opinion on the constitutional question to the general sense of the nation. In thus approving of this charter, we discover the most splendid triumph of patriotism over the pride of opinion—it was the substitution of a wholesome practice for brilliant but deceptive theory—it was the magnanimous concession of genius to experience. In performing this patriotic duty, did he thereby forfeit the confidence and veneration of the Republican party?

Before dismissing this subject, we cannot refrain from observing the great unanimity with which the principle of a National Bank was sanctioned in 1814. One hundred and twenty *for*, to thirty-seven *against*! Time after time, the representatives of the people have settled the question. It has been twice solemnly adjudicated by the Judiciary of the nation. Repeatedly the Executive sanction has been given. The approval it has elicited, and the calm, sober judgment of the Father of his country, and the well-considered concurrence of the soundest and most comprehensive minds in the country—while the People, not less frequently nor less unequivocally, have stamped upon the measure, the seal of their approbation.†

Such is the history of the Republican party as connected with the establishment of a National Bank. In 1832, Mr. Webster was fully aware of the circumstances which had given to the country the most valuable currency of which any nation could boast. Prior to 1816, the credit of the State banks was prostrate—the amount of the National debt enormous—the currency of the country debased, and the loss upon exchanges oppressive. He had seen the operation by which the nation was relieved from this condition of suffering and disaster. He understood the instruments by which it was effected. Hence his opposition to the introduction of another machine, which might in its revolutions, throw this harmonious system into disorder, and derange the whole monetary affairs of the nation, and his ardent and decided effort to effect a renewal of the charter. *Experience* with Mr. Webster has very considerable influence. He views her as the first test of human actions. With her assistance we draw that final conclusion which satisfies all; which not unfrequently overturns the reasoning of schools, philos-

\* When the question of renewal of the charter of the old Bank of the United States was pending before Congress in 1811, the General Assembly of Virginia declared its opinion that the institution was unconstitutional. But subsequently, in 1816, when Mr. Dallas's scheme for a National Bank was under consideration, Virginia remained silent, and thus tacitly recognising the legislation of the Federal Government.

† In 1832, a bill to charter a National Bank passed both Houses of Congress—a large majority of the Jackson party voting for it.

ephy, and politics. She proves that the greatest abilities, united to the finest education, and aided by the strictest habits of industry and attention, are not always equal to the task of combining in one view, all those facts and circumstances that have a natural connection with any given subject. When *she* sustains an act, to reason against it is vain—when *she* refuses *her* assent to a measure, the motive which induced it may be pure, but the measure itself cannot be a wise one.

And shall we not applaud the wisdom and foresight, as well as the virtue of the man, who discovered the fruit in the seed; whose mind foreboded all the mischievous consequences of such non-renewal, and who did his utmost to prevent the true, original cause of our greatest misfortunes.

The stand which Mr. Webster made in defence of a renewal of the charter of the Bank of the United States, must ever remain in the breast of the enlightened and virtuous statesman as an imperishable monument of his wisdom and patriotism. What an host of evils would our country have escaped, had his counsels been followed. That inundation of local banks which followed the cessation of that charter, would not have swept away all the embankments of sound credit, and filled the land with a deceptive currency—based on no solid foundation, and leading to the most demoralizing speculations. If the charter of the Bank had been renewed, what a saving would have been made in the necessary expenditures of the Government. If our fiscal operations had been sustained by such an institution, the resort to paper money in the shape of Treasury notes would have been unnecessary—and the whole monetary affairs of the Government would have been conducted with order, economy, and energy.

The principles which Mr. Webster asserted on the question of currency and banking, are indelibly inscribed on the tablets of history as the enviable judgments of wisdom, were then repudiated by the President of the United States. If the sentiments and policy of the administration of General Jackson were now proposed to Congress for its action, when public opinion has undergone such great modifications as regards finance and currency, they would be received as the suggestions of a political madman. So vast is the difference between the influence of the opinions and principles of the present day, and their influence in 1834. So perishable are the works of politicians who base their actions on transitory passions and artificial interests, and so firm are the creations of a great mind, which calls to its aid the strong arms of reason, truth, and justice. Mr. Webster in this act alone, gave proof of his comprehensive political views, and in resisting party rage, of the purest patriotism.

If Mr. Webster, in supporting the establishment of a National Bank be properly chargeable with abandoning the Republican school, he has the high gratification in standing on the same ground, in support of this institution, which has been occupied by Washington,

Jefferson,\* Madison, Ellery, Marshall, Crawford, Gallatin, Dallas, and P. P. Barbour, of Virginia.† When he is sustained in his political career by the approving voice of such great names, is it not high presumption in the little politicians of the day, like some little animals on the banks of the river Hypanis, which come to life in the morning, fulfilled all the ends of their creation, and died before night, to attempt to establish the absurd proposition, that he is the advocate of doctrines dangerous to the existence of the Union, and the evident tendencies of which are, to establish a consolidated Government.

But, it is said, that those members who have contributed their support to the establishment of a National Bank, are the supporters of *Federal measures*—that they are endeavoring to bring the *old Federal party again into power*.

The old Federal party has been long broken up as a positive and distinct element in the politics of the country. The individuals who composed it naturally divided among the new parties that obliterated it, as the opinions and inclinations of each guided him. The opponents of Mr. Webster seem to think the great Whig party

\*Mr. Jefferson approved of the bill to establish a branch of the Bank at New Orleans; and also of a law to punish the counterfeiting of the paper of the Bank. If Mr. Jefferson viewed the Bank as unconstitutional, is it reasonable to suppose, that he would have sanctioned these bills? How did he act in regard to another measure, which it is contended involved analogous principles. James Thompson Callender, of Virginia, had been tried for violating the alien and sedition laws, and sentenced to pay a fine of five hundred dollars, and to be imprisoned. One of the first acts of Mr. Jefferson's administration was, to order the marshal to discharge him from imprisonment, on the ground that the alien and sedition laws were unconstitutional.

† During the session of Congress of 1816, the Hon. Philip P. Barbour expressed himself decidedly hostile to the institution of a National Bank. It was ascertained that Mr. Madison, who had led the opposition to the old Bank, had renounced his objections to the establishment of another. This act of Mr. Madison, induced Judge Barbour to withdraw from the House of Representatives, and he did not vote on the final passage of the bill—a course that has been censured by many of his political friends. Mr. Barbour justified this withdrawal, on account of the difficulty of his situation. He was evidently deserted by a *large portion of that party* with which he had uniformly acted on a long contested constitutional question. His great political teacher, and his personal friend, the President, who stood at the head of affairs—who had all the lights before him, and was deeply responsible to the people, had assented to this measure on the ground that it was "*res judicata*."

If Judge Barbour refused to record his vote against the charter, and he deemed it a violation of the constitution, he was certainly not performing his duty to his constituents, nor defending that constitution which he had sworn to support. The latter position is totally irreconcilable with the former. The only deduction to be made is, that he acceded in opinion with Mr. Madison, in relation to the expediency and constitutionality of the measure—to say the least his conduct was very equivocal. But I will ask, did he not in thus abandoning his post of duty, ostensibly recognise the exercise of the power by Congress to establish a bank? And did he forfeit the high and exalted confidence of his party in the State of Virginia?

has been the rallying point, with a change of name, of the old Federal party in a body. When they speak thus, they shut their own eyes, or are desirous to blind others, to the uncontradicted fact that, of all the thorough going and extreme men of the old Federal party, or a very large majority, indeed the great mass, such as Buchanan, Taney, Hubbard, of New Hampshire, Williams, Pickering, of Massachusetts, and others, united upon General Jackson, and yet continue adherents of the Van Buren party.

The political controversies that arose subsequently to the adoption of the constitution, gradually became intermingled with questions of foreign policy. The funding system, the proclamation of neutrality, the ratification of Jay's treaty, Mr. Madison's commercial resolutions, and constitutionality of the alien and sedition laws, were the great questions which created the political divisions in the country. But these controversies have long ceased to exist, and never can be by possibility renewed. The parties which carried them on have disappeared forever from the country. Individuals composing the present active generation never took any, or if any, more than a subordinate part in them; never felt the impulses that impelled them to action, and which stirred up the very recesses of society, by angry debates, acrimonious criminations, and illiberal ascription of motives. Since these questions were discussed, new principles, new interests, and new circumstances have sprung up, requiring the application of a series of measures, totally different in their origin and results from any that existed, when the party lines of Federalism and Republicanism were drawn, and divided the country. But if the support of a National Bank by Mr. Webster has caused his excommunication from the political church, and deprived him of the benedictions of the "reverend pontiffs" who have so long enunciated the creed of the faithful, and passed sentence of condemnation on the infidel, why is it that prominent leaders of the Opposition, who have contributed their influence to the sustentation of these measures, now denominated federal, and who are so thoroughly indoctrinated in federal principles, are still received as worthy members of the Republican fold? Are not the doctrines of the Opposition as much tinctured with the principles of the Federal party as those maintained by Mr. Webster? The Opposition would have us believe that their principles mingle with no party, but move onward in the straight forward course, like the Scicilian river, which carries its waters fresh and limpid across the salt and bitter currents of the sea.

The agreeable task of defending a distinguished public benefactor against imputations on his political character, which we consider as unfounded, has led us somewhat farther than we anticipated from the general view of the subject. Our principal object was to intimate that Mr. Webster has always been found acting vigorously with the party who have always resisted all encroachments on the constitutional liberties of the people, and maintained systems of policy that were calculated to advance the aggregate interests of the

community, and perpetuate the blessings of a Republican Government.

I will now turn very briefly to the extraordinary effort made by the State of South Carolina, in 1832, to impose an unconstitutional restraint on the action of the Federal Government. That State sought by covert advances to disengage itself from the Confederacy, and thus overthrow the revenue system of the country.

I do not propose to trouble the reader with any argument either upon the character or the constitutionality of the principles involved in the controversy between the State of South Carolina and the Federal Government. This would be unnecessary, because the united voice of the whole community, with the exception of the votaries of nullification, has accorded them a fate, which, it is hoped, will ever render them harmless and inoffensive. But I have brought them to the recollection of the reader for another purpose: to prove that the doctrines that a State had the right to resist the execution of the revenue laws of the Federal Government, never took possession of Mr. Webster's mind. It would be indeed a novel principle, for a State to object to the execution of a revenue system and endeavor to nullify it, because its interests were not suitably protected according to its views. This would be to place the interests of a State above those that are national, and to subject the political power of the Federal Government to the counteraction of any one of the elements of which it is composed.

In 1832, a general spirit of dissatisfaction continued to animate the bosoms of the people of the State of South Carolina. In November a convention of delegates assembled, for the purpose of taking into their hands measures to resist the action of the Federal Government. An ordinance was adopted, which bore upon its face doctrines of the most alarming character. It aimed at the vitals of the Federal Government. So hostile were these movements deemed to be to the permanency of the Union, that the President of the United States issued his proclamation, calling on the State of South Carolina to avert this spirit of disunion.

The State of South Carolina claimed the right to nullify a revenue law of the Federal Government, as one of the parties to the compact. In this she contended there was no incongruity with her obligations to the Union. The right to nullify, it was contended, was universally admitted to be a natural or sovereign right, and that nullification was a constitutional remedy. They further contended, that for the convenient joint exercise of the sovereignty of the States, there must of necessity be some common agency or functionary. This agency, they contended, is the Federal head. It represents the confederated States, and exerts their joint will, as expressed in the compact. The powers of the Government are wholly derivative. It possesses no inherent sovereignty. As the States conferred, so the States can take away its powers—all inherent sovereignty is therefore in the States. They contended also,

that the Supreme Court of the United States, is a subordinate, and not a co-ordinate department of the Government. These propositions were denied. They were considered as the great political dissolvents, through the instrumentality of which the Federal Government would be made to sink into a state of imbecility, and whilst in this state of fusion, be moulded into any shape or form which visionary politicians might think proper to give it, with the view of advancing their own selfish purposes.

This controversy, it is apparent, had arisen upon a question between the power of the Federal Government and the power of a State Government. The discussions in the progress of the controversy, had opened to the contemplations of statesmen the first foundations of civil society and of Government, before they came to an issue—and all the legitimate sources of power, and all the positive elements of freedom were scrutinized, debated, analyzed, and elucidated.

The State of South Carolina, had rested her action upon the first foundation of the law of nature, *revolution*, and what she termed the incontestible doctrine of human rights. She sought to resist the execution of the measures of the National Legislature, and still maintain her position as an honored member of this glorious Confederacy. She stood before the country,

“Single, unpropped, and nodding to her fall.”

Mr. Webster having long viewed with anxiety, the new philosophy which had become fashionable in the South, he bestowed the most accurate attention on the designs of its votaries, as they unfolded themselves. A sagacity as penetrating as his views were comprehensive, discovered to him the nature of these principles. The notions of constitutional power that were cherished by the statesmen of South Carolina, he accounted as speculative and visionary, and under no possible state of circumstances reducible to practice. The steps which had been taken by the State of South Carolina, through the organ of an extraordinary convention, and the subsidiary enactments of her Legislature, declaring null and void some of the most important laws of the United States, and solemnly pledging herself to renounce her connection with the Union, if any attempt should be made to carry them into effect by force—induced the President of the United States to call on Congress to clothe him with more ample power, to enable him to execute the laws, if necessary, by force.

This was an awful crisis—full of fearful distrust and agonizing anticipations, portending the breaking up of all the constitutional principles and the long settled policy of the founders of the Republic. The lurid cloud of civil war hung upon the political horizon.

It was at this stage of the controversy, that the attention of the country was directed to, and called into action the moral sensibilities and the intellectual faculties of Mr. Webster. It is true the signs of the times were unpropitious, sufficient almost to have startled him

from his purpose; but he went on, reasoning in the words of the poet,

“Without a sign his sword the brave man draws,  
And asks no omen but his country's cause.”

The construction of civil society; the extent and limitation of organized power; the preservation of a system of government combining the greatest enlargement of individual liberty with the most perfect system of governmental authority, were the continual occupation of every mind.

Mr. Calhoun, of South Carolina, appeared in the Senate, as the supporter of the alarming doctrine that a State could annul, in the ordinary exercise of its constitutional power, the acts of the General Government, and that she could constitutionally secede from the Union, and still continue a member of the Confederacy.

He vindicated these doctrines in a speech of great ingenuity, on the bill reported by the chairman of the Judiciary Committee, to enable the Federal Government to collect its revenue. In this effort we were led to expect something of power and effect. It was ushered into public notice, as if it were destined “*labenti succurre sæclo*,” to begin a reformation in the interpretation of the provisions of the constitution—to recal our sentiments and principles to the ancient standard of Republican purity. Those who regarded him as their oracle in politics, must have expected every thing from such a person employed on such a subject; and even the general mass of readers must have looked for a performance of great ability, and for a systematic investigation of principles suited to the constitution. But to those who have been taught to think correctly on government, and to estimate justly the merits of Mr. Calhoun's effort, there is a more serious objection to his speech than a mere deficiency of philosophical views, and a failure of displaying luminously and powerfully the true principles and merits of our glorious constitution. There is an insensibility to the paramount importance of the authority of the Federal Government in our Republican system.

The doctrines upon which this speech was founded, were considered as false, shallow, and presumptuous, more absurd than the wildest theories that were ever engendered by the disordered imagination of man; more hostile to the real interests of mankind, to national prosperity, to individual happiness, and the constitutional liberties of the nation.

To convince the Senate, and especially the country, that the views of Mr. Calhoun did not tend to the conservation, but to the destruction of the constitution, not to promote happiness, but to produce misery, not to be imitated and copied, but to be repudiated and condemned, the public eye was immediately turned towards Mr. Webster, as the person best qualified to respond to Mr. Calhoun. On his efforts the expectations of the people rested, of overthrowing the dangerous doctrines thus promulgated to the world.

"Beneath his banner, proud to stand,  
Look'd up the noblest of the land."

But the character of his mind as it shines forth in his speeches, is a subject of the most lively interest.

The first great property which they disclose is his veneration for the fundamental law of the constitution. There is not a line from his pen that trifles with this sacred deposit in his hands, by claiming to fashion it according to his opinions of what it ought to be. In interpreting the constitution, his first inquiry in every case was to consult the oracles of the instrument for their response; and when he obtained it, notwithstanding he may dissent, or not readily acquiesce in the adjudication of the principle, he acted upon the sentiment of Lord Bacon, that it is the foulest injustice to remove the landmarks, and thus set every thing afloat upon the sea of uncertainty.

Mr. Webster views the constitution as a practical work, which depends mainly for its value upon retaining its shape and the same dimensions from day to day. A speculative, imaginative expounder of the constitution is a paradox. No one can reasonably ask what has he invented or devised. His duty and his province are in the faithful observance of a system created to his hands; a system of principles, the great development of which affords scope for genius, without destroying what is established.

He had thoroughly examined the principles of his opponents. He had seen down to the basis, and therefore was confident of the firmness of what he stood upon; unlike a man who is treading on a surface which he perceives or suspects to be hollow, and is ignorant and fearful of what there may be underneath.

The State of South Carolina claimed to be a sovereign State, and as such she recognised no tribunal as above her authority. She claimed also the right to determine the extent of her obligations under the compact.

In discussing these principles, Mr. Webster pointed out in a masterly manner, the peculiarly delicate and arduous task performed by the framers of the constitution in drawing the proper line of partition between the authority of the General, and that of the State Governments; how they attempted and adjusted these distinct sovereignties, so as not only to maintain unimpaired the integrity of both, and to obviate the danger of a collision, but to render them permanently and effectually ministerial to the salutary purposes contemplated by the Union. He pointed out also, how this adjustment of power provided additional securities for the permanence and strength of the Republic, in the very opposition of principles and views inseparable from their nature. He pointed out, further, how it established between them, through the struggles of conflicting forces, a harmony like that of the planetary system, of which our Federal association should be as it were the moral image.

It was urged in argument by the advocates of nullification, that

the judiciary is a subordinate and not a co-ordinate branch of the Government; that the judges have no right to declare a law to be unconstitutional; that no such power is given to that branch in the constitution. It is no where declared that Congress have a right to exercise their judgment or to consider the expediency of a measure; the judiciary from the nature of their institution, are to judge of the law and what is the law. The constitution is paramount and supreme; the judge is bound by his oath to support it; the legislature have a right to exercise their judgment as to the constitutionality of a law on its passage; but the judiciary decide at last, and this decision is final. This doctrine is admitted in the debates in the Convention of Virginia.

Now allow this principle the fullest latitude which its friends claim for it, and it works an entire change in the character of the Government. This is a natural and necessary consequence of the application to the constitution of such a doctrine.

Against the application of such a doctrine, Mr. Webster contended that the legislative power of the States was not absolute, but limited. If it be doubtful whether the Congress of the United States can do what the constitution does not explicitly authorize, yet there can be no question that they cannot do what the constitution expressly prohibits. To maintain therefore the constitution, the judges are a check upon the legislature. Of what importance is it to say, Congress are prohibited from doing certain acts, if no legitimate authority exists in the country to determine whether an act done is a prohibited act? What are the consequences which would follow from the establishment of the principle that the States have the exclusive right to decide upon the constitutionality of a law? This principle admitted, does any constitution remain? Does not the power of any one of the States become absolute and omnipotent? Can Congress talk of transgressing their powers, when no one has a right to judge of these powers but one of the States of this Union? Is not the Federal Government disrobed of all efficient, operative political power, and reduced to imbecility in the extreme? It would exercise a controlling power in twenty-five States, and in the other it would be powerless. The framers of the constitution did not produce such a rickety system of Government. Does such a power reside in the States? Has the legislature of a State a right to declare an act of Congress void? This exertion of power would be placing the General Government at the foot of the State Governments. It would be allowing one member to control all the rest. It would inevitably lead to civil dissension and a dissolution of the General Government. Mr. Webster resisted with great ability these absurd doctrines. He viewed the national constitution as a glorious monument of the good people of this country; constructed with so much preparation, that it cannot by any act separate its general influence from any part of the community. Its power is entire and complete over the whole nation—not partial, because it cannot

indulge in it—just, because it cannot be otherwise than equal—cherishing all, because it can have no favorites.

Mr. Webster, in a spirit of expanded patriotism, contended for the controlling authority of this exalted tribunal in the adjudication of controversies involving the constitutionality of the laws of the Federal Government—a tribunal exalted by the trust and confidence reposed in it by the constitution, whose protectors it is. While this constitution continues as the supreme law of the land, and the rights we enjoy under it, it must be considered as the valued inheritance of every citizen of the United States. There is a class of politicians, who may be viewed as enemies to this institution, and are laboring with indefatigable zeal to strip the court of all authority, to bring it into disrepute, and paralyze its strength and blur its elevated character. “*Troy cannot fall while Hector lives.*” So long as this court retains its full power, with which it has been endowed by the constitution, so long will it be viewed as the rock of our salvation, against which the waves of opposition may heave without leaving the slightest impression of their invasion.

The interpretation and practical application of this constitution, are necessarily of importance corresponding to that of the instrument itself, since, as we have already remarked, the constitution, at the most, embraces only the general outlines and all the principles of our system of Government. Without a comprehensive view of these principles in the administration of the Government, and consistent and harmonious deductions from them, and a scrupulous adherence to their true spirit, disorder and confusion must be the consequence, and so the Government must undergo a change, or be made to dwindle away to its dissolution. As the interpretation and application of the principles of the doctrine of nullification, that it is competent for a State to decide upon the constitutionality of a law enacted by the National Legislature, developed itself, it was found necessary to invest it with new powers, tending to conceal its real character from observation. It was accordingly surrounded with the most imposing circumstances. The doctrine contended for by Mr. Calhoun could not be a sound one. It wanted uniformity and consistency; it was partial, unequal, and delusive; it makes every thing bend to the power of a State, while it affects to look back to, and recognise the Federal Government as the foundation and measure of its rights. Professing to respect the established system of our Government, it affords no shadow of sincerity for any part of it. Professing to be an equitable and peaceful mode for the ascertainment of the rights of our Federal system, it deprives it of all body and substance, and leaves it only a plausible and unreal appearance of magnitude and importance—it delivers it over, in a word, to the mercy of the States. The doctrine insisted upon by Mr. Webster, as regards the power of the Supreme Court in deciding constitutional questions, has something of certainty belonging to it. But there can be no security while a malignant and doubtful

principle, such as that contended for by the partisans of the theory of the doctrine of nullification, hangs over us. It is just what a State may choose to make it, lurking unseen, and unfelt; or visible, active, and noxious. It may come upon the Federal Government when it is least expected; and the moment of confidence may be the moment of insecurity. It may sleep for a time, but no man knows when it is to awaken to shed its baleful influence upon the extended concerns of the country. It may clothe itself from season to season in what may be termed relaxations, but again, without any previous intimation to the deluded citizens, these relaxations are suddenly laid aside, either in whole or in part, and the work of nullification and disunion commences. Mr. Webster pointed out the destructive consequences of this principle, and if established, he predicted that the destruction of the temple of liberty would follow in its train. What new and how many unequal and misshapen forms the parts would afterwards assume, no human sagacity could foresee. But the uniform fate of all disjointed confederacies would compel us to renounce the hope of seeing it rebuilt upon firm and steady pillars, "*polished after the similitude of a palace.*"

It was not our intention to analyze the principles as laid down in this great speech. We refer to them with the sentiments of profound deference and admiration to which they are entitled, and in which Mr. Webster endeavored to meet the most prominent doctrines involved in the controversy between the people of the United States on the one part, and a State on the other, and whether the constitution should continue to be what the whole American people have made it, or it should be within the power of a single State to control and regulate the political movements of the Federal Government.

This speech and the one delivered in 1830, are universally admitted to contain the most profound and luminous expositions that have ever been given of our Constitution. These efforts are said to have contributed in a masterly manner to the settlement of the doctrine of nullification and its derivative, secession and disunion; and they are, it may be affirmed, no less admirably adapted to strengthen the authority and prolong the duration of the Constitution.

No member of the Senate could have been more admirably fitted for the task, not only on account of the vigor of his talents and his patriotic zeal, but from the large and important share which he had taken in the exposition of constitutional principles before the Supreme Court of the United States.

The same pure and enlightened spirit of patriotism which animated his labors in that body in 1830, guided him in 1833.

Those who wish to judge soundly of the merits of our system of Republican institutions, upon which our affairs may be administered, or of the tendency of particular measures to justify or impair the constitution, and consequently to promote or injure the best interests of the country, will do well to dwell upon the pages of this celebrated speech, and to study there the enlightened views and solid max-

ims, in which the strength and direction of our Government were originally founded. It is the most authoritative and ample commentary we possess on that instrument, with regard to the spirit in which it was framed, to the true ends of its execution, and to the temper and views with which it should be administered. His gigantic intellect has left, wherever it was applied, traces too deep to be mistaken. It treated nothing superficially. It wove no tissue which does not exhibit clearness to brilliancy, and delicacy with strength.

This effort is the most elaborate. Aware of the delicacy and difficulty of his subject, Mr. Webster seems to have summoned all the powers of his mind, to enable him to grasp it in all its extent, and to present it in all its force and beauty. Nothing can exceed the luminous arrangement, the vast comprehension, and, I may add, the constitutional accuracy of the principles, which, in style and sentiment, are distinguished by an unaffected grace, a majestic simplicity, which can only be eclipsed by the splendor of its higher qualities. It was in this debate that I felt the vigor of his intellect, and admired the clearness of his statements, the cogency of his logic, his energetic but unambitious eloquence, and high-mindedness of honor and lofty patriotism.

There is no one general principle better established than this, that reason is the great authority upon constitutional questions, and the faculty of reasoning is the only weapon by which it can be exercised. In Mr. Webster on this occasion it was perfect—in simplicity, perspicuity, in strength and grandeur. His reasoning was as condensed as possible, never making abstraction the basis of his argument, and seldom resorting to analogies. His rejoinder to Mr. Calhoun in 1833, may be considered as a perfect model of reasoning, and as a monument of profound talent and exalted moderation, of firmness tempered by mildness. It excited no turbulent passion; it awakened no narrow jealousy; but dispassionately addressed the understanding and subdued it by the force of argument, of truth, and justice. Its effects were astonishing: and it is no unjust derogation from the splendid performances that at that period irradiated public opinion, to say this was the most luminous and expanded in constitutional views, that was delivered in the Senate during this eventful session. When the passion of the times shall have been forgotten—when the warring interests of individuals, and the petty bickerings of rival parties shall have been assigned to the tomb of oblivion, the future historian will faithfully record this speech, as a rich legacy to posterity, and hand his name down to after ages, as the great defender of the Constitution of the United States.

The first speech on the doctrine of nullification, in reply to Gen. Hayne, is the finest and most transcendent effort of enlarged experience impregnated with genius; the last we place it with the fairest and the noblest progeny which judgment propagates by conjunction with expanded knowledge.

The allegation that Mr. Webster is an advocate for consolidation of the powers of the Federal Government is absolutely unfounded. On this occasion, he sustained the doctrine that an honest and efficient support ought to be extended to the General Government, in the exercise of the legitimate powers of the Constitution. He always contended that it was the duty of statesmen to maintain its constitutional balance, by preserving the energies of the State and Federal Governments. He never made any attempt to vary the relation of their influence and powers.

But it is said that the principles deducible from his argument in regard to the controlling influence of the Supreme Court, constrain a sovereign State to bow before its mandates. Mr. Webster did not wish to see the States humbled in the dust and ashes; it was not his wish to see the pride of any man flattered by their degradation; but it was his wish to see the great and small—the sovereign and the subject—bow at the altar of justice, and submit to the high commandments of the constitution.

There is no topic which requires such strong grounds to justify its admission into controversy, as that of State pride and State sovereignty; for, besides its incurable tendency to inflame the angry passions, and to excite even obloquy against individuals, the employment of it in dispute, seems to beget feelings derogating from the dignity of a constitutional argument, and not consonant with the dictates of reason or the lessons of experience. The principles of our attachments and veneration for the Federal constitution are too deeply rooted in our hearts to be shaken by every veering breath of metaphysical theory. Our attachments for the Federal Union spring from no wire-drawn theory. They are as general as any part of our nature; the causes which generate or nourish them, lie deep as the unalterable interests of society, in the happiness and prosperity of seventeen millions of freemen, and in those primitive feelings of the human heart, which no circumstances can eradicate.

Events like these only go to show how very nearly the balances of our constitutional system were adjusted, and what self-correcting vitality actually resides in it, which proves the wisdom of its framers. They saw across the disputed land of strict construction and consolidation, the elements of a storm that would shake the Government to its centre, and hence the erection of so many safeguards and checks to prevent centralization in the action of the federative system.

Such are the speeches of Mr. Webster on the constitution. They display such natural endowments of intellect, and such accumulation of knowledge, as would raise their author to the highest offices of national trust, and entitle him to the merit of splendid rewards of fame, under any free Government, either of antiquity or modern times.

Here I might triumphantly demand of the restless enemy of constitutional liberty, to point out, in the speeches or publications of Mr. Webster, one sentiment, or act, which proves the existence of a wish

to destroy the Federal Union ; which threatens private property or personal security ; which can reasonably create any fear or jealousy in the mind of the most suspicious politician ; which was not required by the state of the country, and does not merit the approbation of the people.

It is true that there is some difference of opinion between Mr. Webster and a few of the distinguished members of the Whig party, in relation to some doctrinal points in the construction of the constitution. But it is not in nature that all men should think alike on all subjects. We find men differing, for example, on what each of them thinks to be the plainest possible doctrines of theology ; but are violent anathemas against each other, therefore, reasonable with the letter or spirit of the Christian precepts ? Shall we expect a greater coincidence of sentiment on disputed points in politics ? Or, shall we not allow men to think for themselves on particular points, if their general conduct conforms to the general spirit of the constitution, and of the expositions of it which have been sanctioned and ratified by the approbation of the people ?

There are several questions of national policy, and even of constitutional doctrine, on which the Republican party have been divided in opinion, and this difference of opinion was then tolerated. It is natural that men should differ in the choice of means to produce a given end, and more natural that they should differ in the choice of political means than any other, because the subject presents more complicated and variable objects out of which to make a choice.

The State rights doctrine has been rigidly adhered to by many distinguished statesmen, with great tenacity of purpose ; many have been willing to aspire to the character of martyrs in defence of their faith. Mr. Webster's constitutional views, as developed, rest upon the basis of national welfare. He refined the gold from the dross, and adopted the amalgamation as the standard of his policy.

The reader has already seen enough of the manly grasp which Mr. Webster takes of the constitution, to form some idea of the manner in which he walks over this extensive domain. He takes a broad and expanded view of the mighty field of the doctrine of nullification that lies before him, and is too anxious for important results to dwell upon ephemeral phenomena, or *metaphysical abstractions*, which, however beautiful, flit before the intellectual eye but for a minute, and then disappear, leaving no trace of their working behind. Hence it is that he sometimes seems to make too sweeping conclusions, and with an unqualified reprobation to condemn that in the gross, which in the detail presents many singular and attractive beauties. But in an argument which aims to give, not the abstract principles, but the true spirit and practical wisdom of the constitution, this is the only practicable, the only rational procedure. The brightest and most luminous bodies in the universe have their spots, and the arguments of this great reasoner are not always free from paralogsms.

But if the character of Mr. Webster were to be tried by that rule which his enemies have prescribed, where are we to look, among the great men of ancient or modern times, for any who have stronger claims to the gratitude and respect of the country than those which could be advanced in favor of this illustrious personage? When the spirit of Nullification had convulsed the country, and alarmed the patriots of the land, that distinguished statesman completely succeeded, by the vigor and sagacity of his arguments, in preventing the disastrous results which were generally anticipated. This was the main source of his distinction—this was the pedestal of his fame.

Against these glorious efforts of a great statesman, so powerfully illustrative of the principles of the constitution, the subtlety of professional genius, the powers of brilliant sarcasm, and the overwhelming influence of barefaced misrepresentation, were successively employed. The charges of hostility to State rights and a disposition to consolidate all political power in the Federal head, were especially urged with all the zeal of trembling interest and all the fury of disappointed revenge.

If Mr. Webster's opinions, as expressed in his speech in reply to General Hayne, renders him liable to such severe and unjust animadversions, what will his enemies say to the principles contained in the celebrated Proclamation issued in 1832 by General Jackson?\*

Now, Mr. Webster affirmed, in his speech in reply to General Hayne, "*that the Constitution of the United States is not a league, confederacy, or compact between the people of the several States in their sovereign capacities, but a Government proper, founded on the adoption of the people, and creating direct relations between itself and individuals.*" Now, contrast the principles maintained by Mr. Webster with those embodied in the Proclamation, and are they not precisely analogous, resting upon the same basis, and deriving their existence from the same common reservoir of power? The principles of the Proclamation were sustained by the Jackson party—were advocated by the Richmond Enquirer and the Globe.

Another conspicuous occasion presented itself for the display of Mr. Webster's great powers of mind. On looking around to the operations of the National Government for the last six or eight years, it is impossible to resist the conviction that a fatal

\* What is the language of the Proclamation? "The Constitution," it says, "was formed for the important objects that are announced in the *pre-ambule made in the name and by the authority of the people*, whose delegates formed and whose conventions approved it. The most important among the objects, and that which is placed first in rank, on which all others rest, is to form a perfect union."

Again: "*The Constitution of the United States, then, forms a Government, not a compact, not a league, and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a Government in which all the people are represented, which operates directly on the people, not upon the States.*"

change has taken place in the whole policy and entire system of the Federal Government; that in every one of the departments it has, both in theory and practice, been rapidly verging towards consolidation—asserting judicial power whenever it became necessary to consummate any favorite system of policy, extending executive authority and influence to the remotest ramifications of society, thereby reducing all the departments of the Government under the control of the President, and disrobing them of their admitted powers, making them mere atoms of one consolidated whole.

In 1833 President Jackson determined to remove the public revenue from the custody of the Bank of the United States, notwithstanding the declaration made by Congress, that they were safe and ought not to be removed.

The arguments drawn by the opponents of the measure from the acknowledged rights of the Bank and from the holy precepts of the constitution, were either shunned by the advocates of the removal, or ridiculed as the suggestions of party excitement. Every obstacle was thrown in the way of a fair and candid examination of its injurious operations inseparable from the trade and currency of the country. And the great and lasting interests of the nation were sought to be hid from the public view, by a glittering exhibition of the temporary increase of accommodation to the mercantile community, and of the rapid accumulation of individual wealth.

At the commencement of the deliberations of this important session, Mr. Webster was placed at the head of the Committee on Finance in the Senate.

It is not necessary to go much in detail in speaking of the great report, made by him at the commencement of this session, a paper which, in its historical and perspicuous exposition of the finances, will serve as a *vade mecum* to the American statesman, superseding, on this branch of our affairs, all others since the first days of the Republic; a document which, whether it be regarded as an analysis of a vast mass of political questions, or as calculated for the correction of a series of legislative errors and the guidance of a deliberative body, has seldom been surpassed. So much compression of matter will seldom be found in a report of such voluminous dimensions. Full of all the distinguishing characteristics of his great speeches—of perfect accuracy, of admirable simplicity and clearness, of vigor of application, and an enlightened judgment, it contains no phrase which is not fraught with some forcible and essential argument.

This paper is in itself a monument which attests the constant fidelity of his service and the resolute and vast powers of his industry. He saw the dangers and embarrassments which would attend any interference with long established usages. He knew that there was a deeply riveted attachment to our financial systems prevailing extensively in every portion of the country. The injurious effects of this step on the operations of the Federal Government, on indi-

vidual wealth, on our banking institutions, and especially on our national strength and prosperity, were ably and eloquently demonstrated, and were universally felt and most unwillingly acknowledged by his political antagonists.

His speech, too, on this occasion, presented a perspicuous sketch of the history of our revenue from the days of the Revolution, as well as of its progress since, and of the general theoretical bearing of the immense multitude of new principles that have been more recently brought to light, and with the discovery of which his own name is so intimately and honorably associated. The subject, indeed, could only be handled by a master, for in no part of his profound researches, not even in the most successful attempts to establish great constitutional principles and trace the complicated checks and balances of our political institutions, does his genius shine forth with more glorious splendor, or are the peculiar qualities of his mind, cautiousness, accuracy, boldness, and originality, perceived to a greater advantage.

When we reflect on the very imperfect state of the information furnished by the Secretary of the Treasury, the number of splendid consequences at which Mr. Webster arrived in that great effort, it cannot be contemplated without astonishment. With a genius that seemed to crush interposing obstacles, Mr. Webster reaches his ends with very inadequate instruments of investigation.

Mr. Clay, of the Senate, who is distinguished for his ardent and patriotic devotion to the constitution of the Federal Government, viewing the action of the Federal Executive in relation to the removal of the deposits as a violation of the injunctions of the Constitution, introduced a resolution of censure on the President of the United States for this usurpation of power. The resolution was adopted.

The succeeding session the Jackson party, having obtained the ascendancy in that body, introduced a resolution to expunge it from the Journals of the Senate.

Mr. Webster did not resist this mutilation of the records of that body in a speech, but he read from his seat, a protest in the name of Massachusetts, one of the sovereign States of this Union, one of the ablest State papers which either the politics or the literature of the country has ever produced; a paper in which the most seemingly remote and recondite consequences of our political system were discussed with a clearness little short of prophecy, whilst it abounded with lessons of patriotism, illustrated and enforced with all the charms of that mild philosophy and chastened eloquence which belonged to its highly gifted author.

It was a wise, a prudent, and, above all, a purely patriotic opposition. The share that Mr. Webster had in it, and the part that he took in resisting the adoption of the expunging resolution, remains among the transactions of his public life to which his memory will recur with the most gratifying recollections. Many other events have exhibited the qualities of his gigantic mind and his lofty admini-

ration for the constitution ; but on no occasion has the consciousness of upright intentions, and a spirit independent alike of political hatred to the Executive will, or of factious opposition, borne him with more firm and even step through the furnace of political convulsions, and sustained him under the abandonment of friends, the elevation of popular favor at home, and all the obloquy that his enemies have, from that day to this hour, been able to heap upon him.

At a time when the heart of every American who really felt for the prosperity of his country exulted in the brilliant successes of Mr. Webster's talents, and when almost every class of citizens who were at all interested in the welfare of the nation manifested their grateful and patriotic feelings, it might naturally be expected that his constituents participated in his triumphs, and appreciated his splendid and valuable achievements. A large portion of his constituents, glorying in the honor of possessing a representative whose talents were the pride of the Senate, and whose services to his country were so generally admired, sought an opportunity to testify their high and continued confidence in their distinguished representative, whose unquestioned attachment for the constitution, whose accurate acquaintance with its principles and his confessed ability in expounding and supporting them, whose principles, politics, and character, are so completely identified with the constitution of the United States. The citizens of Boston, influenced by the most patriotic considerations, presented to him a costly piece of plate, before a crowded audience,<sup>1</sup> in testimony of their high appreciation of his exalted worth, and eminent public services. The manner in which this present was made ; the expression of friendship and confidence which accompanied it ; and the high approbation with which his exertions were received, were circumstances gratifying beyond expression to the warmest feelings of his heart, and gratifying to every principle of public duty. It will tell to his latest posterity the respect and admiration in which his character and talents were held by the citizens of this commercial emporium. Nor was it less gratifying to the feelings of his constituents. It was a small, but sincere tribute of the high respect which they entertained for Mr. Webster ; of their gratitude for the services which he had rendered in the national councils, as one of the representatives of Massachusetts ; of their admiration of his talents as a statesman.

The esteem and applause of his fellow-citizens form the best motives to animate the exertions of the patriotic statesman, and are the great and wished for reward of every public service.

This high character which Mr. Webster had acquired, and thus appreciated so highly by the commercial city of Boston, was the result of no intrigue—it was by the practice of no art, by wearing no disguise ; it was not by accident, or by the profligacy of party organization, but in despite of the malignant representations of his enemies. It was acquired by long and inflexible adherence to principle—by his expanded attachment to the constitution of his country—by the un-

surpassed ability with which he has explained and defended its principles. It was by his identification with this sacred charter of our liberties, by loving his country better than himself, that he rose respectfully in public estimation, and received that popularity, that homage, which is always accorded by an enlightened constituency, to patriotic virtue, and distinguished services.

In 1835, our affairs with France assumed a portentous appearance. This condition of things required great firmness on the part of our statesmen. Our claims on France had their origin in flagrant violations of the law of nations, and of our own neutral rights, for which the pretence alleged at the time afforded no justification.

It would occupy too much time to enter into a review and analysis of the correspondence which passed between the ministers of the two countries.

In the debates regarding our external relations, in which the characters of great statesmen are more prominent and important, the reader will find in Mr. Webster's discussions of these topics, every where the same principles, the same contempt for every artifice, and the same reliance on the efforts of good will and plain dealing.

As regards the adjustment of our difficulties with France, Mr. Webster contended that the door of negotiation was open. He contended, also, that the misapprehensions on the subject of the treaty and the claims of the United States which appear to have existed in the French Chambers and prevented their legislative action in the treaty, might be removed by explanation, which the United States should be ready and willing to make.

On the 3d of March, 1835, a proposition was submitted by Mr. Cambreleng, the chairman of the Committee of Ways and Means, to place at the disposal of the President the sum of three millions of dollars, to be expended in whole or in part for the naval and military service. The proposition was adopted in the House of Representatives. When it was presented to the Senate for its adoption, Mr. Webster opposed it, on the ground that it conferred on the President unlimited military power. He urged also, that such an appropriation was indefensible upon any ground of public policy. That it proposed to give a vast sum of money into the hands of the President without any specific object, leaving it to him to use as he might please. He might levy troops; he might raise an army and attack a foreign nation—he might, in short, dispose of the money as he should see fit.

Mr. Webster discovered in this extravagant grant of money, as proposed by the Administration, lurking danger. He knew that the power of declaring war was confined by the constitution to the representatives of the people. He knew also, that the framers of the constitution were too wise to give any such power to one single hand. He viewed this proposition as making a change in the whole frame of the constitution. And hence his strong and decided opposition to the adoption of such an extravagant appropriation, at war

with the peace and tranquillity of the country, and virtually overthrowing all the barriers of the constitution.

The speech of Mr. Webster on this occasion has been justly admired. In perspicuity and force of diction; in excellence of appropriate and well methodised arrangement; and in all the vigorous qualities of genuine and patriotic eloquence; in judgment and firmness, it fully sustained its title to the high eulogy of Judge Mangum, in which he declared that it was one of the most powerful efforts he had ever heard in the Senate of the United States.

By his wise and judicious counsels the appropriation was lost, and the policy of negotiation was strictly pursued. Peace, consistent with American interests and American honor, was maintained. The national mind was reconciled to it; and the ability of the Senator, by whose skilful argument it was secured, was rewarded by the applauses of the country.

There has rarely been occasion in which the anxiety of the country has been so highly excited. But the policy pursued by Mr. Webster in resisting such extravagant propositions, met the decided approbation of the people, and the excitement was completely satisfied and allayed.

In 1836, the citizens of Massachusetts submitted his name to the people of the United States as a candidate for the Presidency. From his long and patriotic services—from his distinguished talents and exalted virtues, they were desirous of elevating him to the highest and most honorable station in the world.

At this period there was much division of political sentiment pervading the ranks of the Whig party. Judge White, of Tennessee, was a favorite candidate in one section of the Union, and General Harrison in another. Such being the divided condition of the party—such being the want of harmony and union—the Whig party of Massachusetts gave the electoral vote of that State to the distinguished Senator, who had shed a halo of glory around the name of his adopted commonwealth.

In 1836, President Jackson issued his celebrated specie circular, directing the officers of the Government to receive nothing but specie in payments of the dues to the Government. This constituted the *prologus* of the drama which was exhibited in this country, and displayed to an astonished people the most ruinous results, filling the nation with gloom and despondency.

In 1837, two months after the installation of Mr. Van Buren, a most disastrous revulsion occurred in our commercial affairs. With all the elements of prosperity, we were hurried to a state of ruin and widely extended embarrassments. The credit of the nation was deeply affected by these disastrous results, in consequence of the rash innovations of the Administration, and bankruptcy fell upon many of the most respected and worthy merchants in the land, and for a time impended over all classes of the community. The banks which had been multiplied with great rapidity, now felt the shock which had

been given to credit and the commercial operations of the country, and suspended specie payment.

Whilst these things were progressing, sweeping through the country like a tornado, Mr. Webster paid a visit to the Western country.

Helvetius remarks, that the sun of glory only cast its broad splendors upon the tomb of greatness. This observation is too often true, but facts, living proofs, sometimes contradict it. Mr. Webster walked on in life, amid the eulogies, the admiration, and the enthusiastic regard of a great and enlightened community, without the decorations of office, or the patronage of official distinction.

At Wheeling he was received with all the demonstrations of respect due to his great talents, his exalted fame, and eminent station. The speech he delivered on this occasion is remarkable for the profundity of his remarks on finance, currency, and commerce.

In descending the Ohio river, he was met at Cincinnati by a numerous body of distinguished citizens, all solicitous to behold the great statesman who defended their interests so ably and so successfully in the Senate of the United States. Kentucky, ever foremost in welcoming eminent citizens within her borders, now gave fresh evidence of that warmth of feeling and hospitable kindness for which she is proverbial and proudly distinguished, and greeted the great defender of the constitution as one of her household gods.

The citizens of St. Louis invited him to that beautiful and prosperous city. The manner of the invitation, the high character of those who gave it, and the warmth of his reception, must long be cherished in the mind of Mr. Webster with grateful remembrance. There he partook of sumptuous entertainments, and the magnificent displays which luxurious wealth afford. Her verdant lawns and rural parks were "atmosphered in music and bosomed in beauty," to receive the illustrious stranger. The daily papers of the West noticed his movements, and the unsurpassing and frank affability of his republican manners, conciliated towards him marked respect wherever he went.

Hitherto, the genius of Mr. Webster had been manifested chiefly in the development of the seminal principles of the constitution. An event now occurred, which was to be the occasion of elevating him pre-eminently to public view, and of displaying the strength and lustre of his mind, while dealing a decisive blow in his country's welfare.

In September, 1837, President Van Buren convened the Congress of the United States, for the purpose of providing some mode to defray the expenses of the Government, and to establish some fiscal agent to enable the Government to carry on its financial concerns. To remedy the evils which had been brought upon the country by the rash and inconsiderate measures of the preceding Administration, he proposed to Congress the adoption of a Sub-Treasury. Not content with establishing this innovation, he recommended to Congress to exclude all bank paper in the payment of debts due

to the Government—in other words, to establish a hard money currency exclusively. To the expanded mind of an eminent statesman, this proposition seemed to be preposterous in the extreme, and as such it was resisted by Mr. Webster.

It is needless for me to enter upon any analytical investigation of the points discussed by him. The speech in opposition to this measure, as proposed by the Administration party, was characterized by the most statesman-like views and sentiments, and abounding in the most valuable commercial information, overthrowing the allegations of his opponents, not only by the most convincing reasoning, but by the clearest arithmetical process.

There are few periods in the history of the United States at which the prospects of the people of this country were more gloomy and discouraging than in the year of 1838. Her land never produced more—her industry never was greater. These are the foundations of her wealth, and they flowed with an unexhausted and progressively increasing stream, and the national spirit remained unshaken—yet we found an enormous accumulating debt, and a rapidly declining commerce. Notwithstanding this condition of things, Mr. Van Buren made another attempt to fasten on the country the odious Sub-Treasury, and thus derange the financial operations of the country.

The most important event as relates to the character and fame of Mr. Webster which occurred in the course of this year, was his speech on the system of currency, in which he displayed the most extensive knowledge of this complicated and much contested subject, in all its ramifications—the soundest and most enlightened views, and the most prophetic insight into the dangers and difficulties which must ensue from a long and ultimate perseverance in the then existing method of managing the financial resources of the country.

The speeches of Mr. Webster on this subject exhibit to the historical reader a clear and complete view of what had been our policy and what had been the consequences; what was *then* our policy, and what were then the actual and probable consequences. They also present to the political philosopher, perspicuous and forcible reasoning upon the system which the Government had adopted.

The session of 1839 passed over without any business of momentous interests to call forth the powers of Mr. Webster, with the exception of one—the currency and the discussion of the Sub-Treasury. His speeches in opposition to the policy of Mr. Van Buren, in relation to the establishment of a hard-money currency, and a Sub-Treasury scheme, are perhaps the most elaborate exhibitions of financial science, the most lucid expositions of the complicated details, and the most masterly arguments, to be found on this abstruse and laborious subject.

In reviewing the points discussed by Mr. Webster, which he thought were involved in the establishment of the Sub-Treasury

scheme—the state of public credit—the institution and constitutionality of a National Bank—the establishment of a sound and uniform system of exchanges—and the operation of the schemes of the Administration party, upon wages, domestic manufactures, and commerce—no encomiums can be too lofty, when applied to the success with which he treated these important branches of political economy. He evinced a most profound knowledge of general principles—a singularly skilful application of them to the circumstances of this country. And a most intimate acquaintance with our domestic interests and relations, the utmost perspicuity of method and style, and the happiest relation of topics with argument and illustration, distinguished all his efforts on these subjects, and authorize us to denominate them masterpieces in their kind.

I have thus reviewed the political life and services of Mr. Webster. We think upon his whole character as a Senator, we may remark that there was a combination of the finest elements that have been united in that office. Among those which may be regarded as primary and fundamental, were a devotional love for the constitution and a fervent zeal for its preservation, as the end and intended fruit of all. The former was enlightened by laborious study and practical observation, through a long course of public service; the latter was purified like the constitution of his own mind, by a ceaseless endeavor to sustain it in all its primitive purity and unimpaired vigor. In the service of the affections he never faltered. His efforts on every occasion was to satisfy both; and by attention to the researches of others, to protect inquiry for herself, and a judgment singularly clear in its perceptions, he seldom was defeated in obtaining his object.

But splendid as the career of this distinguished individual has been, and so eminently useful to his country, we must look to his action in another department of the Government, and behold there the immensity of his labors in unfolding the principles of the constitution, and in fixing the great landmarks of the jurisdiction of the Supreme Court. Before this most august tribunal, the most momentous rights connected with political liberty, are commented upon, discussed, and maintained. He who understands profoundly the argumentative reasoning and the principles developed by Mr. Webster before this learned tribunal, upon constitutional doctrines, must possess an expanded knowledge of the history, organization, and doctrines of the political constitution of the nation. It is the peculiar province of this august tribunal not only to construe and expound, but to guard and protect the great charter of our liberties. It stands between the Government and the people, and may pronounce any act invalid which is contrary to the tenor of the constitution.

During the time he has been in the habit of appearing before the Supreme Court, many of the most interesting questions, growing out of our institutions, have been authoritatively settled; the construc-

tion of the constitution, in some of its most important points, judicially pronounced; international questions of the highest moment—numerous points of general commercial law—the obligation of contracts—the nature and character of chartered corporations—the power of Congress to regulate the trade, navigation, and intercourse among the States, have all been illustrated and adjusted by this learned tribunal. His arguments on these questions show a mind deeply imbued with the science of his profession. They were learned, and able, and just. They emit, and will continue to emit in all time to come, a clear and steady light on the jurisprudence of the country, and on rights public and private. They place his character for high intelligence and learning on an imperishable basis. They contributed, in no small degree, in moulding the mind of the court upon those momentous questions. Few, if any, of the great jurists of the country, have exhibited before this tribunal a talent of a higher order, a genius of more vigor, a legal acumen of deeper investigation.

If I were to select any in particular from the mass of his arguments, for the purpose of exhibiting what we have derived from his laborious professional skill, and from the expanded faculties which have been applied to the construction of the constitution, it would be that in which the individuality of chartered rights had been maintained. “The case of Dartmouth College is the bulwark of our incorporated institutions for public education, and of those chartered endowments for diffusing public charity, which are not only the ornaments, but amongst the strongest defences of a nation.” This decision adjudicated points, which has thrown the mantle of sanctity around chartered rights, and imparted certainty and stability to every thing appertaining to corporate concerns, and gave the assurance that a contract was not to be violated by party and occasional prejudice. Every thing connected with this question was new, every thing unsettled. The extent of the powers of the Court to declare a law of a sovereign State void, as violatory of the immunities and privileges of private and public corporations, was also unsettled. Mr. Webster, in forming his arguments upon these points, had to rely only on the faculties of his understanding—on the provisions of the constitution—to the first principles of society and government as recognised in our republican institutions. There was no precedent upon record.

His argument on this occasion is alike remarkable for the eloquence, for the clearness with which he explained all the intricacies of a very complicated subject, and for the great ability with which he applied individual cases which he considered as elucidatory of the great and comprehensive principles of constitutional law, and the eternal principles of public justice. There has rarely been a question decided by any legal tribunal in this country, involving, as this did, such important considerations, which has been more generally ac-

quiesced in by the judicial mind of the country. If we were to say, that that great and philosophical argument made by Mr. Webster in justification of the inviolability of chartered rights contributed greatly to form the judgment of the court, we are in hopes that exaggeration will not be attributed to our remarks; but we venture to assert, and we base this assertion upon the fact, that the points discussed by the learned Judge who delivered the opinion, are precisely analogous to those which Mr. Webster presented in his argument, and his conclusions are based upon the same principles.

In addition to this learned constitutional argument, we may refer to numerous others, in which he evinced equal depth of research and luminous illustration, viz: the case of *McCullough vs. the Bank of the United States*; *Ogden vs. Saunders*; *Gibbon vs. Ogden*; and the *Bank of the United States vs. Earle*. Other individuals may have had more learning at immediate command—may have had their learning under better discipline, or in a condition more appropriate for the duty in which it was employed—but with Mr. Webster, his constitutional learning flows through his arguments in a stream of exuberant richness; its current is transparently clear, and its depth was never less than the subject required.

In 1839, the Whig party of Massachusetts was desirous of placing his name before the American people as a candidate for the Presidency. But honorable as this evidence of public confidence was to the character of Mr. Webster, it is not worthy to be compared to the high honor which he acquired by retiring from the political campaign in 1840. Rarely do we meet with the exhibition of magnanimity so disinterested—of ambition so regulated by principle, so chastened by prudence.

In reviewing the political achievements which were effected by the Whig party during the last campaign, our attention is drawn to the many and important services rendered by Mr. Webster. In this political contest, no man contributed more to reconcile warring opinions; none labored more assiduously to rekindle the ardor of those who were growing cold, and, steadily pursuing his aim, the overthrow of the party in power. If a political reformation claimed the steady efforts of true moral courage and unextinguishable zeal, it ought also to be remembered that it no less required a proportion of nice discernment, and the solid materials of reason, truth, and justice. If a political superstition, which invested the President with the high prerogative of infallibility, was to be assailed and levelled with the dust, the ignorance which, with its characteristic blindness, supported that superstition, was at the same time to be dethroned and demolished; if old abuses were to be removed, and a new order of things to be introduced and systematized, it was desirable to find one distinguished for the splendor of his talents, the greatness of his character, and the authority of his name, at once to clear away the rubbish of error, and clothe political truths with attractive beauty.

To achieve these great results, who, I ask, could have been called upon at this crisis to enforce the doctrines of the Whig party more eloquently and more successfully than the Senator from Massachusetts? It is impossible not to admire his genius and persevering intrepidity whilst engrossed in this political conflict. To distinguish the true principles of the constitution, and the causes of political corruption, required a mind of more than ordinary stretch. To discover a plan for the recovery of the prosperity of the country, and fix the limits of Executive usurpation, demanded a degree of resolution which no opposition could control. But to struggle successfully against an Administration intrenched in power—to plant the standard of rebellion in the heart of her empire, and to lay low her embattlements, required a leader who is capable of exhibiting to his countrymen the most profound views; one who had arisen in the steps of history, in knowledge of human nature, to an eminence whence he can see a great way around him; who does not lose himself in the intricacies of defiles and private paths, but is guided by those vistas and highways which are open to accomplished statesmen, by reading, by reflection, or actual observation on various political schemes of national policy. Such a statesman, in no inconsiderable degree, is Mr. Webster; and with no other armor but his eloquence and the justice of his cause, he marched forth to battle, and unfolded to his fellow-soldiers the weak points of the enemy. He pointed to the spirit of discontent which pervaded the land, and met and opposed the Administration wherever they turned; and they assayed by every means within their power to annihilate it. But while they were yet busy in finishing the image of terror, in bestowing upon it the last touches, and tricking it out with the last fantastic decorations to delude the people—while they gazed with delight upon the formidable but lifeless figure, the current of popular feeling rushed in, the pageant became impregnated with living energy, and the astonished inventors recoiled from it with amazement.

To enumerate, even generally and superficially, the admirable qualities of his speech delivered in Richmond, in 1840, which was his last effort during the electioneering campaign, would be to perform, inadequately and feebly, a task upon which the learning and genius of some biographer may be exhausted. To his master hand we owe a picture, which, for depth of coloring and vigor of design, has no match. It is the greatest service ever rendered to the country which he adorns, by any of her distinguished statesmen; and its contemplation has produced, as sooner or later it was destined to produce, the resolute determination of the ablest statesmen to clean out the Augean stable, whose recesses he had laid open, and upon whose accumulated nuisances his powerful hand had directed the river to roll.

The profound wisdom, solid and beneficial philosophy, enforced by all the powers of Mr. Webster's eloquence, produced a very con-

siderable change in public opinion as regards the policy of the Administration. From this period many men of talents, learning, and political consideration, openly declared sentiments unfavorable to its continuation in power.

I have thus endeavored to vindicate the political reputation of the Secretary of State from the groundless accusation of his opposition to the war, the advocacy of principles antagonistical to our republican institutions, and his resistance to Mr. Jefferson's and Mr. Madison's administrations.\* A triumph of freedom from such imputations so complete and overwhelming, and a discomfiture of his assailants so signal, may administer delight to the best hopes of man, and the most exalted feelings of his nature. It demonstrates that justice has not yet left the land, and reconciles one to the lot of humanity with all its errors and imperfections.

Whatever may have been his political errors connected with party politics, and however he may have offended those who acted in opposition to his views, it cannot be denied that, during the whole period of his service in Congress, he never for a moment neglected the cardinal interests of the country; nor did any personal resentment prevent him from adopting the views of his political adversaries, when satisfied of their correctness and expediency.

The land bill was the last important measure that Mr. Webster supported, during the session of 1840. But besides the measures which Mr. Webster may be said to have accomplished by the influence of his general authority, as falling within the sphere of his immediate duties, many important changes and improvements, during the period that he was a leading member in Congress, were incorporated into the various branches of our commercial policy, as well as into the practice and structure of our judicial system. †

In February, 1841, he retired from the Senate of the United States. He left behind him a reputation to which none can ever expect to reach. It was a reputation which not even his bitterest enemies ventured to call in question. The feelings of political animosity seemed overcome by a great sentiment of exultation in that genius and eloquence which added principally to the stock, great as it is, of American glory. His principles on certain points were the subject

\* In reference to Mr. Madison's administration, Mr. James Buchanan, now in the Senate of the United States, and a very good Democrat, remarks, that "the Capitol of the United States, the lofty temple of liberty, which was reared and consecrated by Washington, has been abandoned to its fate by his *degenerate successor, who ought to have shed his last drop of blood in its defence.*"—See Mr. Buchanan's speech, delivered in 1815, page 13. What an imputation on the character of the venerable patriot; and this, too, proclaimed by a Democrat!

† In 1825, Mr. Webster undertook a general revision of the criminal code. This was a task of vast magnitude and extraordinary labor. It met with the decided approbation of both houses of Congress. He has also uniformly supported a bankrupt system, and has always taken a very prominent part in enforcing it upon the attention of Congress.

of controversy, but his great talents were highly estimated and justly admired by his political friends. To be prominent where all are eminent—to be acknowledged a leader where all are qualified to lead—is surely no mean praise, and it is an evidence of high endowments and great elevation of character. This was unquestionably the case with Mr. Webster. This, we contend, is exalted praise, particularly when we recollect that in that body he had to contend with giants. He had to encounter in debate the unostentatious but vigorous sense of White, of Tennessee, the profound and acute discernment of Poindexter, the exhausting diligence and polished strength of Hayne, the gigantic learning of Livingston, the commanding judgment of Van Buren, the infinitely varied attainments of Forsyth, the felicitous and exalted genius of Tazewell, the metaphysical, rapid, and penetrating sagacity of Calhoun.

But no sooner than it was announced to that august body that he ceased to be a member of it, than opposition raised her Gorgon front.

In a moment of hurry and confusion, before the mind could have time to reflect—at a moment when calm and temperate discussion was precluded, and the close of the session was at hand—a sudden and preconcerted appeal was made to party feeling, and a long-trying, faithful, and most able public servant, eminent for his abilities and integrity, and wrapped up in the pride and glory of his country, and who had labored with unabated and unceasing zeal for her lasting prosperity and happiness, than he is subjected to the most bitter reproaches that his infuriated and vindictive enemies could heap upon him, and every means were resorted to to hurl him from that exalted eminence in public confidence which he has so justly attained. His principles have been assailed by sophistical arguments and groundless assertions, and he has been traduced as advocating doctrines dangerous to the liberties of the country.

Mr. Webster has been charged on the floor of the Senate, by Mr. Cuthbert, of Georgia—this modest Malvolio, whose eyes are spectacted by a lens compounded of the narrowness of political hatred and corroding envy—with countenancing abolition principles. Whoever will investigate Mr. Webster's sentiments as expressed in his speeches and letters, as they really are, and not through the medium of a blind and bigoted prejudice, will perceive that they not only originated in a spirit of generous magnanimity, but that they are marked by the most delicate and scrupulous regard to the rights, privileges, and feelings of the South. Recognising the legitimate existence of slavery as guarantied by the Federal Constitution, he denies the power of the National Legislature to interfere in any manner whatever with the institution of slavery.

To his speeches in reply to General Hayne, at the Richmond Convention in 1840, the reader is referred; and if Mr. Webster's eloquent and indignant spurning of the unworthy imputation should have the same effect upon his mind that they had upon

the audience to which they were addressed, the refutation will indeed be satisfactory, triumphant, and complete.\*

In what age of the world, among what class or description of people and nations, was a compact ever made more solemn and sacred than the Constitution of the United States? It is simple and luminous. It was made with a full knowledge of all the circumstances of the condition of the country, of all the incitements to

\* "There is not, nor never has been, a disposition in the North to interfere with these interests of the South. Such an interference has never been supposed to be within the power of the Government, nor has it been in any way attempted. The slavery of the South has always been regarded as a matter of domestic policy, left with the States themselves, and with which the Federal Government had nothing to do. Certainly, sir, *I am, and ever have been*, of that opinion. \* \* \* I regard domestic slavery as one of the greatest of evils, moral and political. But though it be a malady, whether it be curable—and, if so, by what means; or, on the other hand, whether it be the *fulvus immedicabile* of the social system, *I leave it to those whose right and whose duty it is to inquire and decide*. And this I believe, sir, is, and uniformly has been, the sentiment of the North."

*Webster's speech, p. 380.*

"We know, sir, that the representation of the States in the other House is not equal. We know that great advantage, in that respect, is enjoyed by the slave-holding States. \* \* \* Nevertheless, *I do not complain*. Nor would I countenance any movement to alter the arrangement of representation. It is the original bargain, the compact. Let it stand; let the advantage be fully enjoyed. *The Union itself is too full of benefits to be hazarded in propositions for changing its original basis*. I go for the constitution as it is, and the Union as it is."—*Ibid*, p. 382.

Again, let us turn to his Richmond speech.

"And here I am brought to advert, for one moment, to what I constantly see in all the Administration papers [Van Buren] from Baltimore south. It is one of perpetual outcry, admonishing the people of the South that their own State Governments and the property they hold under them are not secure, if they admit a Northern man to any considerable share in the administration of the Government. You all know that this is the general cry. Now, I have spoken my sentiments in the neighborhood of Virginia, though not actually within the State, in June last, and again in the heart of Massachusetts in July, so that it is not now I proclaim them for the first time; but ten years ago, when obliged to speak on the same subject, I uttered the same sentiments *in regard to slavery and the absence of all power in Congress to interfere, in any manner whatever, with that subject*. I delivered my sentiments fully in Alexandria in the month of June, and in July at Worcester, Massachusetts. I shall ask some friend connected with the press to circulate in Virginia what I said on this subject in the Senate of the United States on the 30th of June last. I have nothing to add to or to subtract from what I then said. I commend it to your attention, or rather I desire you to look at it. *I hold that Congress is absolutely precluded from interfering, in any manner, directly or indirectly, with this or any other of the institutions of the country*. Well, I repeat it—proclaim it on the wings of all the winds—tell it your friends—tell, I say, that, standing here, in the Capitol of Virginia, under an October sun, in the midst of this assemblage, before the entire country, and upon all the responsibility which belongs to me—I say there is no power, *directly or indirectly, in Congress or the General Government, to interfere in the slightest degree with the institutions of the South*."—Extract from Mr. Webster's speech delivered in Richmond, Virginia, October 7, 1840.

make it, and of all the objections that the ingenuity of its enemies could suggest. Every man is bound to adhere to this compact. And to say that Mr. Webster has countenanced any effort to interfere with the institution of slavery, is to charge him who has taken an oath to support the constitution, with perjury. Every man understands the compact; and Mr. Webster is the last man in the nation to deface one pillar upon which it rests for support.

Mr. Webster has nothing to fear from this charge. He has a right to ask that he shall neither be judged on naked assertions, without proof, nor on vague and general charges, without details. It is a general rule of evidence, that it is incumbent on those who assert the existence of any thing, to prove it. We have not, however, thought our duty on so important an occasion fulfilled, unless we undertook to prove what the lawyers call "a negative," and to show, with as much strength of reasoning as we possess, the non-existence of the charge. Has it a glimmering of existence? No one will say so. Then, I ask, what worse disgrace, what lower depth of infamy can there be for the Opposition presses, than thus deliberately to assert a falsehood, and to make that falsehood the groundwork of a protracted scale of atrocious aspersions upon the character of a public man!

When we say that the assertion that Mr. Webster ever countenanced abolition in any form, is false, we speak only as regards the effects of evidence upon our mind; we pretend not to make our perceptions the standard of those of any other. We know the nature of the human mind, and how imperceptibly, even to ourselves, passion and preconception will throw, as it were, a mist over the intellectual eye, and bend or scatter the rays of evidence before they strike on its vision. We have submitted extracts from Mr. Webster's speeches, and we think, upon a fair analyzation of them, the judgment of the mind must pronounce the assertion false.

For more than twenty-seven years he has passed in review before the nation, occupying many official stations, shedding lustre upon all, and impressing upon all the character of his exalted mind. From the commencement up to the present moment of his brilliant career, he has been the distinguished defender of our constitutional liberties, and the untiring advocate of the great interests of every section of the country. Whatever measure he viewed as powerful for good, or fraught with utility—whatever was respected, admired, or applauded—whatever tended to dignify human nature, and meliorate the condition of man, to advance the cause of virtue, and exalt the character of the country, was sure to find a zealous support.

Providence, indeed, seems to have formed Mr. Webster for the Government, in which it is his destiny to act so conspicuous a part. He is an ardent admirer of its principles, and directs all the active and mighty energies of his mind to their preservation. He correctly thinks that the policy of the country should have reference to the principles of the Government. No man has read

history with more advantage, and more cautiously attends to the admonitions of experience. But he keeps it constantly in view, that he is acting in the councils of the United States, not of Greece, or Rome, or Great Britain, or France. When he consults the experience of other nations, he considers wherein the United States differ in situation from the nation whose experience he is consulting, and thus avoids the errors into which too many statesmen fall, by a blind and indiscriminate adherence to the experience of other nations.

In conclusion, it may be observed, that Mr. Webster yields to no man in his respect and deference, and we may add, strong affection for the people. He looks upon them, not as representatives of all the political power, but as imbued in the mass with the loftiest attributes of justice, magnanimity, and virtue. He holds, they seldom err, and never except under the influence of a transient passion; they never inflict an intentional injury, and never neglect an opportunity when convinced of the fact, to redress to the full extent of their power, a wrong inflicted either by themselves or others, on a faithful public servant. Gloomy beyond description, indeed, would be the prospect of the eminent statesman, if, in the midst of the difficulties that environ him, the base calumny with which he is assailed, the vindictive feelings with which he is pursued, he could not turn for countenance and support to that kind and patriotic multitude, whose happiness and prosperity he has so nobly and so proudly struggled to maintain. We have heard him advocating the cause of the Constitution and the liberties of his countrymen; again, we have heard him supplicating the public councils in the cause of a suffering people, and imploring the Administration of the Government to abandon their short-sighted policy. We have seen him while every eye was intently fixed on his pallid countenance, and the death-like silence which pervaded the Senate chamber, confessed the overwhelming influence of his eloquence, and the high-toned sentiments of patriotism with which he inspired every heart. We have seen his bosom heave with patriotic emotions as he invoked their love of Republican liberty, and their detestation of Executive tyranny, and as he gloriously and philosophically unfolded to them the prosperity and happiness that awaited the triumph of the Whig party. Yet he is now marked out as the prominent victim of persecution, so remorseless and so unrelenting, that history scarcely presents us with a parallel case. He has had the firmness to maintain his principles, and disdain to bow and worship the counterfeited images which have been raised by the Opposition. It is for this independence of action that he has been traduced; it is for this he has been attacked by base insinuations and willful misrepresentations. If he could have been so insensible to that pride of country which animates even the lowest of mankind; if he could have been unmindful of the ardent instigations of sentiment and patriotism, and that lofty hope which springs forward to the future; and so forgetful of his brilliant career, as to have supported the princi-

ples of the Opposition, the name of Daniel Webster had then been tarnished—his lofty integrity had then been blurred—and the republican historian would have handed down his name to posterity, as one recreant to his long cherished principles and splendid fame.

#### A NATIVE OF MARYLAND.

*Postscript.*—Mr. Webster has been charged with voting “against a proposition more effectually to detect and prevent traitors and spies.” This is absolutely untrue.

On the 19th of January, 1814, Mr. Wright, of Maryland, moved the following resolution :

“*Resolved*, That the Committee of the whole House be instructed to inquire into the expediency of extending the second section of the act for the government of the United States relative to spies, *to citizens of the United States.*”

The effect of extending the rules and articles of war relative to spies *to citizens of the United States*, would have been to expose every American citizen visiting the encampment of the American army, to be charged with being a spy, and have that charge tried and determined by a drum-head court martial, and that trial followed by death.

It would have withdrawn from our citizens that great shield of American liberty—the right of trial by jury—and placed the whole country, and all our citizens, at once under martial law. So thought Mr. Webster, and he voted against it. So thought Mr. Cheves and Mr. Farrow, of South Carolina, Mr. Duvall, Mr. Ormsby, and Mr. Clark, of Kentucky, Mr. Eppes, of Virginia, Mr. Kent, of Maryland, Mr. Seybert, of Pennsylvania, Mr. Fisk, of Vermont, (or New York,) Mr. King, of North Carolina, (now Senator from Alabama, and late President of the Senate,) Mr. Richardson, (late Chief Justice of New-Hampshire,) Mr. Robertson, of Louisiana, and many others of the warmest supporters of the administration of Mr. Madison ; and they voted with Mr. Webster. And there is no more truth in the charge against Mr. Webster, than in the same charge, should it be made, against Mr. Eppes, the chairman of the Committee of Ways and Means, son-in-law of Mr. Jefferson, and leader of the then Democratic party in the House of Representatives.

Amongst other things raked up by the press to prejudice the people against Mr. Webster, is his vote in 1814, against the bill to authorize a draught of eighty thousand militia men. Whatever may have been the merits of the measure, it was opposed by many of the most sterling Republicans of the country ; among them William A. Burwell and Thomas Gholson, of Virginia, and Nathaniel Macon, of North Carolina.

As further evidence of Mr. Randolph's hostility to the war, I refer the reader to the following extract.

"These are no ordinary times. The state of the world is unexampled; the war of the present day is not like that of the Revolution, in any which preceded it, at least, in modern times. *It is a war against the liberty and happiness of mankind; it is a war in which the whole human race are the victims, to gratify the pride and lust of power of a single individual.* I beseech you, put it to your bosoms, how far it becomes you as freemen, as Christians, to give your aid and sanction to this impious and bloody warfare against your brethren of the human family."—See Mr. Randolph's letter to the freeholders of Prince Edward, Buckingham, and Cumberland, in 1812.

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### No. III.

#### OBSERVATIONS ON THE POLITICAL CHARACTER AND SERVICES OF THOMAS EWING, SECRETARY OF THE TREASURY.

The duties of this station are in some respects merely secondary, while in others they are superior to those attached to other departments. By the laws establishing the office, the Secretary is required not only to attend to the collection and disbursement of the revenue, but likewise to present new schemes or alterations in existing plans, as the public good requires. It will be perceived that this requires a comprehensive knowledge of the resources of the country, united with habits of close application; and in addition to this rare union of qualities, a stern integrity. In a Government whose chief resource depends upon trade, which itself depends upon our relative situation with the European world, it is essential that the Secretary should superadd to these high attainments a sufficient knowledge of foreign powers, to anticipate the arrangements likely to be adopted by them, and their effects upon the United States.

When Mr. Ewing entered the Senate of the United States, he found himself in the strong holds of locofocoism. That body at that time, had asserted a daring irresponsibility to public opinion. Mr. Ewing, impressed with the dangerous tendencies of such doctrines, and convinced from his own reflections, and the nature of our institutions, of their absurdity, did not abandon himself to an inglorious course. He here found a theatre for the display of all his powers; and he displayed them in a manner that placed their depth and variety beyond the reach of question. He opposed the adoption of the *pet bank system*; he opposed the doctrines of nullification; he supported the inquiry into the affairs of the Post Office Department; he opposed the prodigal expenditures of the Government; and above all, he opposed the rash measures of the Administration. On these occasions, he was generally unsuccessful in prostrating the measures proposed by the Administration. The most sanguine mind could

not flatter itself with this triumph. But, what was of infinitely greater consequence, he assisted in awakening the public mind, in illuminating it, and thus aided in accomplishing the great revolution which the Whig party achieved in public opinion. His speeches in the Senate were read by the nation. In diction, they were perspicuous and easy of apprehension; in style, temperate, and exempt from all personal allusion; in argument, profound; in political views, instructive. Attacked with fury by violent partisans, eager to crush him, he, on no occasion, suffered the calmness of his judgment, and the respect for the body he addressed, to be disturbed by the violent ebullitions of his enemies. He did not content himself with opposing the leading measures of the Administration; like a true patriot, he gave an assisting hand to his opponents. No man in the Senate better understood the principles of finance, and no one was better acquainted with the national resources and events in all their details. He assisted, also, in the promotion of correct plans, and exposed errors, the effects of which might have been no less injurious to the reputation of the Administration, than to the welfare of the country.

Few men have ever obtained as great an influence in this country, with so few of the advantages which are apt to captivate a Senate, or to win popular applause. He was not fluent of speech, yet, with all this, he attained a station in the Senate, which made him as much listened to as the most consummate debaters; and upon the questions to which he, generally speaking, confined himself, the great matters of finance and commerce, he delivered himself with oracular certainty of effect. This success he owed to the thorough knowledge which he possessed of his subjects; the perfect clearness of his understanding; the keenness with which he could apply his information to the purpose of debate; the acuteness with which he could unravel the argument, and expose an adversary's weakness, or explain his own doctrines.

A few years ago, this distinguished individual was removed from the Senate, by the Legislature of Ohio. By this inconsiderate policy, the Government was deprived of the services of one of her most enlightened and experienced statesmen, at a season when she most needed them—when howling factions were to be chained down with one hand, and rapacious politicians to be held off with the other.

Upon General Harrison's elevation to the Presidency, Mr. Ewing received an invitation from that lamented and distinguished personage, to become a member of his political family. This invitation was accepted, and accordingly he was selected to preside over the financial department.

It is no common object of contemplation to behold the Government of a great nation committed to hands manifestly incapable of wielding its powers; but to see at the head of a department a man void of the knowledge and experience wanted for discharging the duties of the department, is a spectacle to fill all thinking persons with apprehension; nor is it less dangerous to the country, that a set of

persons should have undertaken to govern it, who were entirely devoid of the influence required within for resisting evil or effecting good. That this country has, for some time, been placed in this predicament, cannot be doubted; and in no department of the Government was this imbecility more conspicuous than in the Treasury Department.

When Mr. Ewing was called to the Treasury Department, it became his duty to reduce to order the chaos in which he found the fiscal concerns of the nation. He found the department covered with an enormous accumulating debt, and its revenues declining. He found the groundwork which had been chalked out by Woodbury's predecessors undermined, and all their wise regulations concerning the management of the finances, in a state of disorder.

How faithfully to the Government, how leniently to the various sections of the nation, and how successfully Mr. Ewing has labored to introduce systems to uphold the public credit, and husbanded the public revenues, it is not necessary here to state. After the strictest scrutiny of the highest tribunal of our country, the Congress of the United States, he has received the best reward which can be bestowed on a faithful servant. His integrity and fidelity have been acknowledged, and the wisdom and patriotism of his course approved, by adopting the recommendations embodied in his report, in reference to the condition of his department, and the necessity of Congress taking some measures to relieve it from the annual amount of debt, under which it was laboring, in consequence of the mismanagement of his predecessors, and to provide some means to meet the accumulating deficiency.

These are the talents, and these are the eminent services which seconded and justified the elevation of Mr. Ewing.

A NATIVE OF MARYLAND.

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#### No. IV.

#### OBSERVATIONS ON THE POLITICAL CHARACTER AND SERVICES OF JOHN BELL, SECRETARY OF WAR.

In that dread hour my country's guard I stood,  
From the State's vitals tore the coiled serpent,  
First hung with writhing up to public scorn,  
Then flung him forth to ruin.—*Marturin's Bertram.*

It cannot be uninteresting to the people of the United States, to review the political conduct of those individuals who occupy distinguished places in the Government.

Mr. Bell is one of those who stand highly elevated in the political history of the country, in all its political conflicts, by which it has been convulsed during the last twelve years.

He began his professional life in the county of Williamson, Tennessee, and continued to practice until his public employments interrupted his professional business. At the bar he was distinguished among his brethren for sound learning and laborious research, for fair, honorable, and perfect integrity.

In 1817, he was elected by the people of Williamson to the Senate, in which body he distinguished himself on all questions which came before it, and soon acquired a very extensive and commanding influence, on account of the comprehensiveness of his views and the liberality of his political sentiments. Having served in that body one term, he retired from political life, and determined to devote his time to his profession,—a science whose acute distinctions and logical structure were wonderfully adapted to invigorate and develop the powers of his understanding.

The people of Tennessee have long been distinguished for their admiration of talents, when united to pure intentions and virtuous ambition. Moved by this feeling, it became a matter of course that Mr. Bell, intrenched as he deservedly was, in the affections and respect of all those who knew him, should receive the offer of a seat in Congress; whose inflexible patriotism, and political courage, had inspired the highest confidence.

In contending for a seat in our national councils, he had to encounter the conjoined influence of General Jackson and Felix Grundy, who, at that period, swayed popular opinion, and controlled the destinies of the politicians in the State of Tennessee. His elevation may therefore be considered as furnishing strong evidence of the weight of his character in the district, and of the respect of the people for real worth, which is so rarely permitted to weigh against the interests or feelings of party.

In December, 1827, Mr. Bell took his seat in the House of Representatives. Perhaps there has been no period since the establishment of the Government, which more uniformly demanded all the foresight, virtue, and discretion of the ablest statesmen, than that in which Mr. Bell was called to assist in the national councils. The first talents in the respective parties which divided the country, were drawn into Congress. That body became a vast arena, in which the contests for political power and principle were maintained with all the eloquence of rhetoric and strength of reasoning which the zeal of party could influence in noble minds.

Among the earliest efforts in eloquence of Mr. Bell, is his reported speech on the resolution of Mr. Chilton, delivered in the House of Representatives in 1828, on retrenchment. It was his first appearance before the eyes of the American nation, and received the applause both of his political friends and opponents.

In 1830, he was placed, by the Speaker of the House, as chairman of the Committee on Indian Affairs. At this crisis, this committee was one among the most important. The duties devolving on it were laborious and complicated. The adjustment of our diffi-

culties with the several tribes of Indians in the United States, had become one of difficulty and embarrassment. Georgia and Alabama demanded of the Government the extinguishment of the Indian title. The question of their removal agitated the Union from its centre to its extremities. In this trying situation, under these exciting circumstances, Mr. Bell was called on to investigate this disturbing question. His report was an elaborate production. In considering this question, he gave ample proofs of his great abilities; but what adds to the perfection of this report is, the conciseness of method, the spirit of candid philosophy, the assiduity of research, the discriminating precision, and the profundity of judgment, with which it is every way replete. This report is itself sufficient to procure the author a brilliant and lasting reputation.

Mr. Bell professed a desire for the welfare of the Indians, for the support of their rights, and for their improvement in the arts of civilized life; but his views were different from his opponents as to the authority of the State Governments over them, within whose limits they resided. His opinion of State rights was such as to lead him to the conclusion that the Indians must submit to the jurisdiction and laws of the State; whereas the doctrine of most other statesmen was, that they were to enjoy their own customs and regulations, subject only to the Government of the United States: thus excluding all authority in an individual State to control or interfere with them. The States of Georgia and Alabama had previously set up a claim to govern the Indian tribes within their respective limits in all cases, and they also demanded of Congress the removal of the tribes to some distant territory.

In the course of the debate in which he had to engage, in defence of the principles asserted in this report, he had occasion for all his powers, and he wielded them with a giant's arm; contesting the ground inch by inch, and defending the report against the assaults of its enemies. During the whole of this animated discussion, he was at his post, and often upon the floor; now gravely answering the objections of the opponents of the report; now nerving the arms even of the strong, and now dispelling the apprehensions of the timid, and confirming the vacillating and doubtful. He labored hard to harmonize and soften conflicting interests. In this debate he found arrayed against him the vast industry and ability of Huntington, of Connecticut, the animated and powerful declamation of Bates, of Massachusetts, the brilliancy and learned ingenuity of Everett, and the constitutional and legal learning, and impassioned eloquence of Storrs, of New York. It certainly cannot be said to derogate from the splendid efforts of these gentlemen to say, that Mr. Bell sustained himself proudly on this occasion, and elevated himself to a high rank among the distinguished men in that body.

In 1834, Mr. Bell was elected Speaker of the House of Representatives. He presided over the deliberations of that distinguished body in a manner that imparted the highest gratification to his

friends, and extorted the praise of his opponents, by the dignity of his conduct, the urbanity of his manners, and the rigid impartiality of his decisions.

About this period, Mr. Bell, perceiving the injurious tendencies of the doctrines of the Administration, announced his purpose to support the election of the lamented Hugh L. White, of Tennessee, as successor to General Jackson. From that moment he was marked out by the Administration party as an object of jealousy and persecution. It was a time of high political excitement. The passions of the adverse party were highly inflamed, and all the angry passions of the contest were called into action.

It cannot be supposed—it is contrary to the general experience and practice of human nature to conceive—that a character, thus highly and deservedly distinguished, can have passed through a large portion of active life, without some degree of censure and misrepresentation. We do not by any means profess to portray, amidst the innumerable frailties that adhere to man in this terrestrial and probationary sphere, that monstrous absurdity—a perfect man; but those who have candidly contemplated the prominent features of his political character, will be little inclined to dwell with severity upon any political act, when surrounded with such numerous excellencies. Leaving, therefore, to envy and malignity to brood over the suggestions of their wayward fancy, and convinced as we are, that, in the scale of impartial justice the balance infinitely preponderates on the right side, we shall only condescend to notice the charge implicating his political integrity—that he abandoned the Jackson party from interested and ambitious considerations.

From an unrestrained cast of liberal sentiment, which Mr. Bell has through life displayed; from that rooted detestation of every species of oppression and tyranny; from his well known republican feelings, and comprehensive views of finance, it could not have been a matter of astonishment to his political friends, when he ceased to co-operate with them, and announced his opposition to Mr. Van Buren's views and policy, and united with the Whig party. Much as the coalition has been censured in the Jackson papers, yet it must be admitted it has been censured on wrong grounds. To arraign a union of men once opposite, or even inimical to each other, without considering the object of combination, or the conduct of its members in this combined capacity, would be the result of prejudice, and not of judgment. A change of circumstances often renders it just to disunite from that plan of political conduct which it was once right to pursue, and to act with those men whom it was right to oppose. The abuse thrown out against Mr. Bell, and the other abler leaders of the Whig party, after mutual coalition, was the abuse of ignorant and malignant declaimers, not of impartial, informed, able reasoners, upon distracting political doctrines. And yet this revolution in his political opinions, it is alleged, was the result of an overweening ambition. There is an ambition with which

these spreaders of calumny and their masters are entirely unacquainted—the ambition of doing good, and the securing the reward in fame. He who has this ambition, can never be disappointed in the other; and if any statesman has reason to be satisfied with his success in the pursuit of ambition, it is the distinguished Secretary of War.

Mr. Bell continued with his usual ardor, consistency, and spirit, to oppose the administration of General Jackson, upon every measure which he deemed to be injurious to the national interests, and in violation of the constitution. This conduct secured to him, at the time, great popularity of character, the esteem of every friend of the constitution, and the applause of every admirer of public virtue.

This revolution in political sentiment proved to be the most fortunate step for him that could have been taken; such uncalled for persecution operated on the public mind with a sensible reaction. His friends, in 1835, once more took the field, and many of his former admirers joined their ranks; the party which had heretofore held such despotic sway, became divided within itself, and at this moment his friends brought their favorite again in Congress, to occupy the seat he had so ably filled for many years.

There is, in all political bodies, however organized, an instinctive passion for the accumulation of power. The executive department of the Government has not been backward, under the last two Administrations, in exhibiting this trait; and as this, like most other strong passions, acquires strength by indulgence, it was not a matter of astonishment, at that day, that it should have displayed itself with a force and effect calculated to awaken the most painful apprehensions. Under its impulses and irregular action, the other departments of the Government were stripped of their powers, once considered essential to their existence, and were doomed to move in a subordinate sphere of action. To restrain the action of the Executive, and confine it within the limits of the constitution, no man in Congress made more powerful efforts. To him the thanks of the Republicans are due, for the firm and decided stand taken by him on this occasion, and his patriotic efforts in resisting this innovation upon our institutions, so unequivocally inimical to their existence and efficacy.

This speech was considered as a great effort of eloquence. The documents therein contained may be referred to as a satisfactory and convincing answer to all the arguments which were then adduced by his enemies. This speech strikingly illustrates two prominent traits in Mr. Bell's character: that laborious assiduity and patient investigation which master details, and that acute abstracting mind which generalizes particulars, deduces principles, and comprehends results.

His stern and inflexible opposition to the Sub-Treasury scheme recommended by Mr. Van Buren, has been viewed with great ad-

miration. The speech he delivered on that occasion is probably one of his ablest efforts.

Mr. Bell seems at this period to have been convinced of the necessity of indefatigable application and persevering industry to support the high character he had acquired, and accordingly prepared himself with unremitting assiduity to present to Congress this question in all its important ramifications. His mind, indeed, appears to have been elevated by the importance of the subject, and he conceived its various relations with a perspicuity that was embellished by the noblest effusions of eloquence.

*Animo vidit ; ingenio complexus est ;  
Eloquentia ornavit.*

In the course of the congressional recess in 1840, various events took place which called forward the political abilities of Mr. Bell. The most deep and impassioned feeling took possession of the nation itself, and the same thrilling sensations which had agitated Congress electrified the whole country. It seemed as if every power of the human mind was summoned to the contest, and stretched to the most intense exertion. At no period of his life has Mr. Bell more completely sustained his reputation for talent, than in his efforts before the people in favor of Whig principles. His clear and forcible arguments, his earnest and affecting admonitions, and his intrepid and original development of principles and measures of the Administration party, gave him a weight of authority which it was difficult to resist in the State of Tennessee. Perhaps no man was ever heard by his political opponents with more profound and unaffected respect, whenever he arose to address them upon the subject of our political condition under the Van Buren dynasty.

The great Republican Whig party having triumphed, by the diffusion of their principles and the exposition of the execrable policy of the Administration, in 1841, General Harrison tendered to Mr. Bell the distinguished station in his cabinet as Secretary of the War Department. In this eminent capacity, he was called on to perform many arduous duties of office, and the difficulty of performing them in a safe and satisfactory manner was greatly enhanced by the consideration of the disorganized condition of the Department. In whatever he has undertaken, however, he has succeeded to the public satisfaction, and displayed great talent and application.

The difficulties which have devolved on him as Secretary of War, will bend under the commanding power of his genius ; confidence will succeed the gloom of despondency ; order will spring out of complexity ; and the light of his powerful and independent mind will penetrate through the maze of imbecility and error ; success will crown his exertions ; and the glory which will blaze around the military character of his country, in the termination of the Florida war, will prove in its rays the splendor of his name.

A NATIVE OF MARYLAND.

## OBSERVATIONS ON THE POLITICAL CHARACTER AND SERVICES OF GEORGE E. BADGER, SECRETARY OF THE NAVY.

The exalted taste of preferring to all other achievements the triumph of intellect, and to all pleasure the contemplation of intellectual beauty and grandeur, was the happy career which carried ancient Greece to a refinement of taste and an elevation of virtue that no country has rivalled. To review the triumph of intellect which lie before us in the history of our great men, must be an interesting occupation to an American mind. The republican institutions of this country cherish no regard to the factitious distinctions of society—they rescue poverty from prostitution, and elevate humility from depression.

With the public career of Mr. Badger we do not profess to be well acquainted. He has always ranked in the State of North Carolina as a distinguished lawyer. It is not saying too much to assert that he brought with him to the new office the reputation of being at the head of the profession in that State. Men might differ with respect to the rank of other lawyers; but all admitted that no one was superior to Mr. Badger, in talents, in learning, in acuteness, in sagacity.

In all his public functions, he was remarkable for his devotedness to the cause in which he was engaged, for his assiduity and zeal, for research and depth of thought, and for an extraordinary ingenuity of reasoning, which sometimes appeared to border on refinement, but which ended in the most just and satisfactory conclusions.

It is evident that nature has been liberal to him. She has gifted him with a mind rapid, ingenious, and full of resources; ever awake, and ever active; equally capable of comprehending and exhausting a subject to which its powers may be directed; his genius enables him to enforce by argument, his memory to illustrate and adorn, and the glowing language of which he is an eminent master, either to conceal the weakness, or to augment the strength of the topic under discussion.

It is the prerogative of his mind to discover by a glance so rapid as to seem intuition, those truths which common capacities struggle hard to comprehend; and it is the part of his eloquence to display, expand, and enforce them.

His colloquial powers are of a splendid order. Whenever engaged in conversation with his friends, he appears with an illuminated face, and with a peculiar amenity and captivating kindness, displays all the playful felicity of his wit, the force of his intellect, and the fertility of his imagination.

In his style of writing and speaking, he is uncommonly chaste and eloquent, generally pleasing, and polishing his sentences until they

become suited to an ear made almost fastidious by an early classical education, and reiterated reading of the best authors in the English language.

In such times of political division as we have unfortunately lived in, to be believed honest, able, incorrupt, and a friend to one's country, by the party opposed to us, is perhaps the most conclusive evidence of our title to such a character, for it is the testimony of those who may, in a certain sense, be considered as enemies. This evidence exists with regard to the Secretary of the Navy.

The political principles and inculcations of Mr. Badger, are such as naturally arise from the exercise of the understanding, deriving its materials from experience and the operations of particular governments, combined with the knowledge of human nature; arguing from history, and not conjecturing from fancy and metaphysical abstraction.

The high state of excitement that pervaded the nation during the last Presidential canvass, had enlisted in the cause of the Whig party some of the most talented men in the country. Mr. Badger partook extensively of this state of excited feeling, and before a large assemblage of the people of North Carolina, he arrayed with all his gorgeous eloquence the policy and measures of the Administration, and displayed to an admiring audience the consequences which would inevitably result if they were persisted in. In this speech he delineated the constitution of the Federal Government with great accuracy, and expressed his warm admiration of it as the best system of policy the sagacity of man has been able to contrive. In short, every bosom glowed with one sentiment of generous pride and grateful exultation. No lurking envy, or capitious exceptions, doubts and sinister forebodings of diversity of views, disturbed the harmony, or damped the general enthusiasm which pervaded the ranks of the Whig party.

So conclusive were the arguments advanced, and such the eloquence with which they were enforced, that every mind was fully satisfied with the exposition which he had given of our political concerns, and the fulness of his knowledge in relation to the policy of the Federal Government.

A revolution having been effected in the administration of the General Government, it entered into the scope and policy of the Chief Magistrate in forming his ministry, to tender the responsible station, as Secretary of the Navy Department, to Mr. Badger. In this new situation, so totally foreign to his pursuits, he has bent the whole force of his faculties to the accomplishing of his great object, that of filling with ability and usefulness, so conspicuous and important a station.

The strongest evidence which we have to offer of the ability which has characterized his efforts in the administration of the affairs of this department, is the new and important suggestions embodied in his report in June last to the Congress of the United States.

Deeply impressed with the necessity of defending the approach of an enemy to the heart of our territory, and to shield the capital of our country from again being sacked by a ruthless invader, he called the attention of Congress to the proposition of establishing a Home Squadron. This measure, considered either with a view to the present or future condition of this country, is of vital importance, not only in protecting our extensive maritime coast from invasion, but to render additional aid in giving security to our immense and rapidly increasing commerce. Congress, convinced of the necessity of the adoption of this measure, have wisely concurred in opinion with the enlightened Secretary of the Navy. This measure is destined to form a new era in our naval history. It must inevitably lead to other and still greater improvements in the most important arm of the national defence, in conformity with the advance of science, and the new modifications of steam power.

To knowledge strong, various, and accumulating, and to manners accessible and easy, he unites a system of politics the most determined and unwavering. Of an age combining the practical advantage of extensive experience with the activity of a mature and vigorous intellect, he is able to perceive the best interests, and to direct with efficiency the concerns of his department; while an integrity of principle unquestioned and unquestionable supports the Corinthian column of an amiable and honorable character.

To powers of mind highly cultivated by study, he adds habits of the closest application, with which he unites manners of the greatest urbanity and politeness.

A NATIVE OF MARYLAND.

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## No. VI.

### OBSERVATIONS ON THE POLITICAL CHARACTER AND SERVICES OF FRANCIS GRANGER, POSTMASTER GENERAL.

The Postmaster General is one of those distinguished men who lay by the attributes of youth before they attain to manhood; who leave behind them at school the levity and folly, the unsuspecting openness and thoughtless generosity of inexperienced age, and come into public life fortified with the cool caution and prudent reserve which usually are bought but by experience.

Mr. Granger is the son of Gideon Granger, who, for many years, presided over the department to which his son has succeeded. He was viewed by his political friends as a man of just integrity and considerable talent. Mr. Randolph always spoke of him as a fine specimen of Northern Democracy.

The political career of the Postmaster General has been short, though very conspicuous and extraordinarily popular. He was

one of those whose enlightened mind and profound constitutional knowledge placed him in the highest rank of public characters, and whose purity of principle and consistency of conduct through life, commanded the most respectful attention to his opinions. In the tumults and convulsions of party strife, he displayed the same magnanimity and patriotism which had distinguished and characterized his conduct upon all occasions where the interests of his country were concerned.

For many years Mr. Granger remained in a minority in the State of New York. The tide of party had overwhelmed him for a time, and all the zeal and all the strenuous efforts, incidental to violent political contests, were brought to bear against him. If there has ever been a day when a citizen of the Empire State might glory in her institutions, and feel the force of the principle that they contained in themselves—a self-preserving spirit—it is at this moment. The character of the State had been degraded, and a stain brought upon her reputation by the artful and designing politics of the Albany Regency. The people have risen in all their majesty, and in a language temperate, firm, and dignified, have put forth a declaration to the nation, indicative of that intelligence, that love of truth and justice, that sense of right and wrong, and that pride and independence of character, which prove in all ages the certain protection of Republican institutions. It was the business of the Regency to hunt down great men, and to drive the most distinguished talents into the shades of domestic life. It was against this party that Mr. Granger had to contend for so many years. They are now powerless. A revolution has taken place; and no man has had a more powerful agency in bringing it about than Mr. Granger.

To reward a most able, faithful, and distinguished statesman, for past labors and sacrifices, it was resolved by the Whig party, of which he was a prominent member, to run him for the Vice Presidency. In 1836, the Whig party supported for that office the Hon. Francis Granger and the Hon. John Tyler; the Van Buren party, the Hon. Richard M. Johnson. As the electoral colleges failed to make a selection, Mr. Johnson and Mr. Granger were returned to the Senate. The Van Buren party having the ascendancy in that body, in February, 1837, elected the Hon. Richard M. Johnson. The vote which Mr. Granger obtained on this occasion, proves to the world the high estimation in which he was held by his political associates, and the confidence they entertained of his adhesion and fidelity to the principles which they advocated with so much zeal and devoted patriotism.

Mr. Granger has been the uniform and consistent opponent of the doctrines maintained by the Van Buren party, and has on all occasions employed his powerful mind and persuasive eloquence in exposing their evil tendencies, and pointing out to the people the ruinous policy pursued by the party, and the wide and extended suffering and embarrassment to which it must ultimately lead.

In the formation of a new ministry, Mr. Granger has been selected to take charge of the Post Office department. This department is laborious and complicated. It requires great system and patient industry to manage its concerns, and to administer its extended affairs judiciously and prosperously. In coming into office he found its financial department deranged; its contracts enormous and disproportionate to the services performed; a large accumulating debt hanging over it; debts due the department unsettled; and a general system of irresponsibility pervading every portion of the department. To organize and give shape and form to such a mass of confusion and irregularity, and to meet the liabilities of the department, and at the same time not to curtail any of the facilities in the transmission of the mail, required the employment of all the talent and laborious application of which he is master. His report to the Congress of the United States, at the commencement of the Extra Session, has all the marks of a strong business-like document, embodying in a most lucid manner the fiscal affairs of the department, and suggesting many useful improvements in the management of its complicated concerns.

These developments demonstrate most conclusively his ability to preside over the department with distinguished credit to himself and advantage to the nation. They manifest his fidelity in the discharge of the important functions belonging to the office, and his constant application in ferreting out official malversation, and remedying existing grievances.

I will now proceed to the examination of a charge which has been made against him of a serious character; and, strange to say, that often as it has been peremptorily refuted, it is still brought upon the stage for party effect.

The spirit of liberty reflects on the errors of faction with sorrow, not with triumph, and is unwilling to aggravate that which it wishes had never happened. In the temper which this spirit inspires, therefore, we shall proceed. We shall dwell on no facts but such as we think uncontroverted; and we shall make no reflections, nor draw any inferences from them, but such as naturally arise in the case. The truth could not be so evident as we presume it is in this case, if any thing more was necessary to the illustration of it. Has he in any instance given countenance to abolition doctrines? Is the allegation sustained by proof? If any exist, why is it not produced? That Mr. Granger's enemies should, with a degree of industry which never remits, have raked in the ashes of long-forgotten and a thousand times refuted slanders, for the means of heaping obloquy upon his reputation, was to be expected from their party zeal and from their undisguised hostility, or even hatred, which they uniformly have evinced towards him. Their insinuations and declarations against his reputation, unsupported as they are by one particle of evidence, will be set down by every candid reader as the rabid effusions of party spleen, which too often believes every

calumny invented to blacken the reputation of an adversary. Shall men, thus plainly convicted of calumny, expect belief when they endeavor to defame in any other case? Shall they who are convicted of accusing falsely, in cases which are plain in their nature, where no proof can be wanting, and where no pretence can be alleged for not producing it, expect that the public should condemn any man, and especially when he has demanded of his adversaries to produce one single proof in contradiction of his affirmation? How often have the enemies of Mr. Granger defended themselves and been defended by this principle: that no man ought to charge another, unless he is able and willing to prove the charge! How often have they called for proof on this principle, and triumphed that it was not immediately produced!

But these are the desperate efforts of a faction repudiated by the people, and hence their ferocious anxiety to attack the distinguished men of the north, in order to bolster up their consequence. Sometimes very bad men are made to display such dignity in death, as at once to excite a sympathy with their false sentiments, and to lessen the horror of their crimes. I recollect the interest with which I read, some years ago, in Dr. Young's *Busiris*, the proud magnanimous speech, at the close of which the tyrant dies.

Even the detestable Zanga, though conscious that "*to receive him, hell blows all her fires,*" appears, if I recollect aright, with a fine elevation in the prospect of death, by means, partly indeed by the sympathetic feelings excited on account of his heroic courage. To create an occasion of this kind, compelling us to do homage to the dying magnanimity of wicked man, is an insult to the religion which condemns such magnanimity as madness.

While Mr. Granger continued in the House of Representatives, he was one of the most useful and distinguished members of that body. From the time he took his seat, to the 4th of March last, he took a conspicuous part in all its proceedings. By a reference to the Register of Debates, it will be found that he took a large share in all the important discussions, and that he never failed to avow frankly, and to defend with energy, the grounds of his public conduct.

In his speeches he studies clearness and fullness of narration, and copiousness and force of argument. He also unites strength with beauty, and the perfection of matter with the most refined and chastened style.

In July, 1841, he discussed with great force and ability the principles embodied in the report of the Committee on Foreign Affairs, in relation to the adjustment of our external affairs with Great Britain. He doubtless felt great satisfaction in vindicating the safety and honor of his country, and at embodying in an effort so useful and glorious a ray of that genius whose force and consciousness he had felt, in dispelling the cloud of metaphysics which enveloped the report, and gave rise to anxious forebodings as to the pacific termination of our controversy with Great Britain.

But it was not in the character of a speaker, though highly useful and popular as such, that the merits of Mr. Granger as a member principally consisted. It was in the closet and on committees, on the unostentatious but most important task of forwarding the public business, that his services were probably most useful to his country. The gentlemen who served with him can attest to the severe, unwearied, and self-denying industry with which he devoted himself to this important branch of legislative duty, but too frequently neglected by those, whose ambition it is to attract attention on the floor, or to figure at length in the columns of a newspaper.

On all questions of a political nature, the course of Mr. Granger, while in Congress, was usually in accordance with that of his Whig brethren. With them he was a decided supporter of Whig principles, and on all the debates which involved the honor of the nation, or the policy of the Government towards foreign States, he ever expressed himself with great decision of character and honesty of purpose.

In addition to these high qualifications, he possesses, what talents may adorn, but what talents, however strong they may be, can never supply—the *mens conscia recti*; an inflexible integrity and enlightened virtue. All who have the honor of his acquaintance, admire him for his firmness, public spirit, and unconquerable industry. All see in him a patience of investigation which never fails—a loftiness of principle which knows no compromise, and blending with these great qualifications the eminent blandishments of the gentleman, the virtues and decorations of private intercourse, throw beautiful tints upon his public life.

A NATIVE OF MARYLAND.

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#### NO. VII.

#### OBSERVATIONS ON THE POLITICAL LIFE AND SERVICES OF JOHN J. CRITTENDEN, ATTORNEY GENERAL.

Statesman—yet friend to truth, of soul sincere,  
In action faithful, and in honor clear,  
Who broke no promise—served no private end,  
Who gained no title, one who lost no friend,  
Ennobled by himself.

In Mr. Crittenden we have a striking instance of that indefatigable spirit, the true characteristic of a superior mind, which pursues its object with unabating ardor, amidst the most discouraging circumstances. The progress of genius, like the river confined within a rocky channel, is accelerated by opposition. Thus the daily toil of study, and the frequent interruptions of a laborious profession, seemed to have stimulated the exertions of Mr. Crittenden.

Mr. Crittenden is a native of the State of Kentucky. It was in

this truly republican State that his earliest impressions gave to his mind a strong attachment for liberty, instructed him in the estimation in which a virtuous mind should hold wealth, and taught the value of industrious habits, as the only guardian of independence and true greatness. Gifted with a vigorous and expansive mind, he has forced his way, by patient application and persevering industry, from obscurity to the highest stations in the public service. Possessing an admirable knowledge of the world; a sagacity instructive in reading men; a fund of strong practical sense applicable to all the occasions of life; an effective, commanding, and enlightened energy; a judgment that rarely goes wrong; uncommon kindness of purpose; a genuine philanthropy; a temper always under discipline, with complete self-government in all respects; a fairness in judging of his enemies; a noble frankness; incorruptible honesty; a magnanimous disregard of self; an inborn constant love of representative government and the people's rights—these are some of the most striking among the cluster of great and useful qualities that are harmonized in his character. The attributes of his judgment are peculiar and distinctive. Its movements are always deliberate and slow—slow to decide, because he is anxious to investigate. It is his habit to look on all sides of a subject; to dismiss any fears; to examine deeply; to demonstrate; to weigh the opinions of others; to reconsider his own opinion.

In examining the events of Mr. Crittenden's life, we find him at an early period devoting himself to the practice of the law. He rose rapidly into professional notice, and soon found himself surrounded with clients and business. In a short time he was chosen to the Legislature; and his sound judgment and comprehension gave him weight and influence in all the deliberations of that body. One of the first propositions which he submitted to that body, was in relation to a military expedition against several Indian tribes inhabiting a portion of the Northwestern Territory.

General Harrison, at the solicitation of numerous distinguished and influential individuals in Kentucky, accepted the command to lead the gallant volunteer corps of that State against a savage foe, then laying waste a portion of the country. How that expedition ended, the glory which encircled the brow of the commander-in-chief at the battle of Tippecanoe, and the exalted character which Kentucky acquired in that memorable engagement, in which she lost many gallant sons, it is not for me at this time to speak. But misrepresentation sought to deprive the gallant Harrison of the laurels he had acquired. A fell spirit of detraction sought also, to enkindle a state of feeling in Kentucky, injurious to his military reputation, which had disarmed savage ferocity of its terrors, and gave peace and tranquillity to our western borders. At this crisis in the military history of General Harrison, Mr. Crittenden presented to the Legislature a resolution approbating the course of General Harrison, and commending his military exploits, which

they so richly deserved. This resolution was almost unanimously adopted.

The people of Kentucky, always generous and magnanimous, approved the act, and appreciated highly the views and motives which induced the mover of the resolution to present it to the Legislature for its adoption, and admired the eloquence which he employed, in delineating the services and privations which the troops had endured, and the exalted character which they sustained in this sanguinary conflict with an uncivilized enemy.

In 1817, Mr. Crittenden was elected to the Senate of the United States.

In this distinguished body, he soon acquired a high character for extensive information and great research; and after a short period of honorable service retired from public life to devote himself more assiduously to the duties of his profession. It is not unusual for men of eminence, after having withdrawn a few years from the bar, to find it difficult, if not impracticable, to resume their former rank in business. Nothing of this sort occurred to check the progress of Mr. Crittenden. He was immediately engaged in almost all the important cases in the highest courts of Kentucky; and his popularity seems to have increased rather than diminished during his temporary retirement. From the triumphs and victories of the State bar, his reputation soon carried him to the Supreme Court of the United States, where it has been his pride to hold a most distinguished rank. This would entitle him to no ordinary praise; for that bar has long been celebrated by the presence of many of the most illustrious lawyers in the country. The reports of the Supreme Court show how faithfully and elaborately he argued the questions of law which were in the course of his practice. A legal question never looked too dark to him; his first glance gave an insight into it, and told him through what course he was to search for a solution. But if capacity to examine a question by the most laborious analysis; to subject all its relations to the test of the most scrutinizing logic, and to exhibit them in perfect transparency to the minds of others; if the capacity to select with unerring judgment, the weak parts of an argument, and to expose learned sophistry—if these distinguished traits constitute a superior mind, Mr. Crittenden must be allowed to rank among the greatest minds of the country.

In 1829, President Adams, entertaining an exalted opinion of his intellectual vigor and integrity of character, nominated him to the Senate as one of the Judges of the Supreme Court of the United States. The Jackson party, having the ascendancy in that body, refused to act upon the nomination, upon the ground of Mr. Crittenden's political opinions—and that another party would in a few months succeed to the administration. They strenuously contended that the Administration ought not to attempt to fill vacancies created by death or resignations, when their power had nearly terminated. But how have they changed positions? In 1841, they appointed a

Judge of the Supreme Court of the United States, at the moment when they were sensible that their power was expiring and passing into other hands.

Thus we have another example how easy it is for men to change their principles with their situations—to be zealous for principles when they are in power, and as soon as they are ejected from the seat, to become the assailants of those very principles which before they had so zealously supported. Are such men to be sanctified with the hallowed name of patriots? Are they not rather to be branded as mercenaries who make their professions, prejudices, and interests, the sole measure of their own and others' rights?

The refusal to sanction this nomination by the Senate, produced considerable excitement among Mr. Crittenden's friends in the State of Kentucky, and in 1835 the Legislature of the State elected him as a Senator in Congress. This was a distinguished mark of their confidence in his abilities and honor. The members of the Legislature had for some time viewed him as the sagacious statesman, the sound and learned lawyer, the public-spirited citizen, one who had been tried in all the relations of life, public and private, and been found faithful in all. He possesses that invaluable property in a politician—one not often found in combination with a mind so rapid in its movements and powerful in its grasp—unwearied patience in investigation. He never abandons his research when half completed. He never rests satisfied till he acquires all that can be had upon the subject of his researches. Hence it is, that whenever he undertook to discuss a question in the Senate, he was always prepared to analyze it in all its bearings, and present it to the consideration of that body in the most imposing form. Hence, also, the influence which his opinions and arguments always carried in that body.

He has always been regarded as belonging to the Republican party; and the efforts which have been made of late to prove the contrary, have by no means changed his opinions. In the early part of Mr. Madison's administration, he was a spirited and patriotic member of the Republican family. On various occasions, he gave the most decided support to the principles which then contained the creed of the Administration party.

Mr. Crittenden took his seat in the Senate of the United States about six years ago. He acquired at once a high character in the councils of the nation; was regarded as a man "*justum et tenacum propositi*," safe in his judgments; who investigated every question with coolness and without prejudice, and met every responsibility with a fearless intrepidity. The journals and records of the Senate will show him to have been equal to any of his compeers in debate. His speeches were delivered upon subjects the most important to the community that could be conceived; the topics handled in them were of universal application and of perpetual interest.

It may be affirmed, that no member in the Senate was more re-

lied on for extensive knowledge, or more esteemed for power of debate than he was. Although ardent in his feelings, and inflexible in his political opinions, yet whenever he addressed the Senate, members of all descriptions listened with an expectation of being informed, and an assurance that they should not be deceived.

Mr. Crittenden has always entertained a wholesome jealousy of Executive power. He always asserted that, in proportion as the House of Representatives acted in unison with the people, animated by the same sympathies and affected by the same interests, in the same proportion will it accomplish the design of its functions as a representative body. Finding a system of action pursued by the last two Administrations hostile to this harmony, in order to restore it to that conjunction of interests and feelings on which its utility, as the popular branch of the Legislature, depends, Mr. Crittenden labored most assiduously to introduce a system calculated to effect this most desirable object, in regulating the patronage of the Federal Executive. But even this laudable effort was opposed and misrepresented. He never designed to impose any restraints on the actions of men or on the liberty of speech. In this country, every citizen of the United States has the entire power to dispose of his own actions, provided he does no injury to any of his fellow-citizens, and that no prerogative of the President, no power of any department of the Government, has any legitimate authority to check this unlimited freedom.

His designs were in favor of the constitution; designs to secure, to fortify, to perpetuate that excellent system of government. He advocated no other course—he claimed no other merit.

The debate on the question of Executive patronage, drew forth all the powers of his mind. For deep and thrilling fervor when required; for brilliancy of thought and richness of language, when demanded by the theme; and for logical and grave discussion, he is equally as distinguished, as for the lighter sallies of his playful and sparkling fancy, the quickness of his wit, and the pungency and severity of his satire.

Whoever will read with attention the speeches of Mr. Crittenden on the great questions of policy which have of late years agitated the country, will find him always advocating the doctrines which have ever been considered as sustaining principles of equal rights. He has on all occasions been the strenuous advocate for the exercise of the legitimate powers of Congress—and has ever opposed every encroachment on the great charter of our liberties.

Accordingly, when Mr. Van Buren recommended the Sub-Treasury policy, Mr. Crittenden resisted its adoption, in several able speeches. These efforts exhibit a perfect knowledge of the subject. He showed demonstratively, with sagacious discernment, the evil results of which it would be productive. The doctrine of a hard money currency he resisted with all the inimitable wit for which he is so distinguished—and that power of eloquence which he is so eminently

master of. He was determined to oppose at every step, a measure which he believed to be grounded on a delusive promise of good which it would never accomplish; and to be pregnant with inevitable and extensive evil. The system of banishing paper money from circulation, and employing only the precious metals for commercial purposes, is one of the most absurd propositions ever engendered by the folly of man, in these days of refinement and civilization. We might as well be told that, because our ancestors fought with arrows and with lances, we ought to use them now, and that we ought to consider shields and corselets as affording a secure defence against musketry and artillery. In short, Mr. Crittenden resisted with great vigor and effect, all innovations upon established systems which were constantly suggested by those who were at the head of the Government. Against these rash and destructive measures, the offspring of Executive dictation and arrogance, he directed the whole power of his fervid eloquence, and by the fertility of his genius, and his illustrations, he succeeded in impressing upon the public mind their dangerous tendencies. In great convulsions of public affairs, or in bringing about salutary changes, every one confesses how important an ally eloquence must be. It is in the progress of great events, in the jars of mighty tumults of domestic concerns, that she flourishes—protectress of liberty—protectress of improvement; guardian of all the blessings that can be showered upon the mass of human kind. Nor is her form ever seen but in proud connection with free institutions. When institutions which had been long held in veneration as great refinements of human wisdom and policy, which years had cemented and confirmed, which wisdom had supported, and experience sanctioned, and eloquence conspired to embellish, were levelled to the dust by Executive power, it was then that Mr. Crittenden's eloquence, in conjunction with other determined patriots, infused a current of feeling into the public mind inimical to the ruling power; and finally, by a series of inculcations, effected a revolution in political sentiment.

The political campaign of 1840, could not fail to rouse the genius of every citizen—to force the highest talent to the highest station—to animate the Whig party with a holy zeal; and to afford to her orators all that, according to the profoundest writers of antiquity, is necessary to the sublimest strains of eloquence. "*Magna eloquentia, sicut flamma, materia alitur, a motibus excitatur, urendo clarescit.*" It was, thus, in these ardent and passionate political conflicts, that Mr. Crittenden delivered those bold and manly speeches, worthy of the great interests involved, and which have been the theme of high encomium. He contemplates "these glorious inspirations of genius, as a beauty gazes with secret pride on the reflection of her charms, which, she feels, are to delight and to subdue mankind."

In taking this decided stand against the Van Buren party, he was

prompted by no selfish feeling—no ambitious considerations. His ambition is ever identified with virtue, and never associated but with virtuous ends; the object of that ambition was his country's welfare. Honest ambition, like the eagle, soars upward to the sky, gazing undazzled at the most glorious object; while political intrigue burrows downward in the earth, and works inwardly in the dark—

“Toils much to earn a monumental pile,  
That may record the mischief it has done.”

In this struggle the Whig party triumphed. They subverted the Van Buren dynasty, which will be identified in the recollection of posterity with accumulated duties or taxes, an augmented debt, extended financial embarrassments, a ruined and disordered currency, a debasement and prostitution of the public mind, and a system of policy not only hostile to the commercial and manufacturing interests of the community, but paralyzing to the arm of the Government, and destructive of the conservative energy of Republican institutions.

In 1841, General Harrison, in looking through the political circles of his friends for a constitutional adviser, to aid him in carrying out a great system of beneficial measures connected with the administration of the Federal Government, selected Mr. Crittenden as one of his cabinet ministers. Their friendship commenced at an early period, so far as the writer of this is informed, and it continued unbroken to the last moments of expiring nature. As time rolled on, this chain brightened and was burnished into splendor by warm reciprocation, and undiminished regard.

He has all the qualities which the forensic art requires; profound learning; various and accurate information upon State affairs as well as the contents of books, and a love of labor, not to be satiated by any prolixity and minuteness of detail into which the most complicated case could run—a memory which lets nothing escape that it has once grasped, whether big, or imperfectly small—with abundant subtlety in the invention of topics to meet an adversary's arguments, and penetration that leaves no parts of his own case unexplained. Many have drawn the conclusion that Mr. Crittenden's mind is incapable of long continued investigation. Now, clearness and rapidity of thought are surely not inconsistent with the power of profound investigation. This power is not confined to dull and laborious plodders. He must be wholly ignorant of the character of Mr. Crittenden's mind, who does not know that its most remarkable feature is accurate analysis. Now this is the great and efficient instrument of investigation. It is hardly necessary to observe that a mind accustomed to argue analytically, is, of all others, the least liable to become theoretical. By reducing things to their elements, it decides the most complicated questions by a skilful combination of those maxims of common sense, which after all, are the great foun-

dations of human wisdom. Superficial observers are very apt to consider men of strong inventive powers of mind, as mere theorists. They are unwilling to admit the utility of powers whose sublime operations they can scarcely comprehend.

That important conclusions may not be derived from an extended analytical investigation and comparison of existing systems, will not be denied. But whenever it is undertaken by one competent for the task, and with a mind unfettered and unbiased by preceding opinions, results of the very greatest interest and importance can rarely fail to be derived from it. With respect to the metaphysical investigations which we often meet on abstract points of constitutional law, all of them are vague, gratuitous, and fanciful; arising, doubtless, from the circumstance that the authors have rather started with a preconceived theory or system, which they conceive themselves bound, at every hazard and by all means, to maintain and defend. This mode of reaching the truth and ascertaining the signification of terms and the import of the provisions of a constitution framed for the purpose of guiding a great people to happiness and glory, presents no attractions to his mind in expounding the constitution. His mind has nothing of metaphysical order, which enables a debater to draw nice and wire-drawn discriminations, which, when examined, contain no substance whatever. Not like,

“ Minute philosophers, who nicely see  
Th’ entrails of a gnat, dissect a flea;  
Survey the world with microscopic eye,  
And to an elephant convert a fly;  
Measure an atom by precision’s laws,  
And balance the difference of a pair of straws;  
Pursue the fibres of a grain of sand,  
Tell how much gold will buy each inch of land;  
Divide and subdivide each single hair,  
With fairy magic paint in air.”

A NATIVE OF MARYLAND.

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## CONCLUSION.

Such is the Cabinet which the Chief Magistrate has around him as the depository of his confidence, and as worthy to guide him in conducting the great operations of this glorious confederacy.

It is sufficient for our purpose, to have delineated the political characters and personal services of the members of the cabinet. By this inadequate delineation it will appear, that the motives which guided in the selection, and controlled in the retention of them, were pure, patriotic, and enlightened.

In the retention of the cabinet, the President has given us the strongest evidence of a disposition to surround himself with men of

ability and consideration—men of useful knowledge, cultivated minds and well ordered and disciplined morals. These are the necessary instruments of a wise and well regulated Government. These are the genuine and unfailling means of cultivating and improving the arts of peace; of diffusing affluence and happiness, and grateful attachments to our political institutions, over every region and district of this vast country; and of dispensing to every class and description of our fellow-citizens, the permanent benefits of security to property, protected life, undisturbed order, and inviolate religion. It is not the nature of these blessings to spring from a turbid source, or to flow in contracted and irregular channels.

The stability of this country, whose magnitude is the accumulated results of former enterprise, activity, and resolution, must be perpetuated by the durable principles of the constitution; by a grave, upright, and uniform administration of justice; by a prudent and temperate system of revenue; by the encouragement and protection of all the departments of industry; by a careful and judicious management of every branch of financial resource; and by the maintenance of a just, firm, and moderate policy towards foreign powers. To maintain and uphold such a system in all its parts, the Federal constitution has created three great departments of power: the executive, the legislative, and judiciary. That these departments are free, and mutually independent of each other, is a principle which all the enlightened minds, and illustrious ornaments of our species, who have exercised their intellectual powers in the theory of Government, have unanimously considered as essential to the well-being of our Republican system of government. It is a maxim that is laid down in most of the constitutions or declarations of rights, in most of the States; it is found in the political writings of most of the celebrated civilians, and is every where held as essential to the preservation of liberty, that the three important departments of the Government should be preserved separate, distinct, and independent.

The most delicate, and at the same time the most important attribute of Executive authority, is the exercise of the veto power, and thus pronouncing a legislative act inoperative, if made in violation of the provisions of the constitution. Recently, President Tyler was called upon, under painful circumstances, to exercise this power. He viewed the provisions of the bill presented to him for his approval, as inconsistent with the principles which he had on all occasions maintained, and as violative of the spirit and letter of the constitution, which he had sworn to support. Under such circumstances, what was he to do? Was he to do that stern and cruel violence to his settled sentiments, to trench upon the opinions which he had formed with strong sincerity, and to ratify an act which he believed was an infraction of an instrument which he was bound to protect from violation, by every rule of moral obligation, and by the suggestions of an enlightened public interest? Or was he to stand

by and behold it violated and subverted? However deeply we may regret the exercise of the veto in this instance, still we must contend, that if the President views the legislation of the Federal Government as incompatible with the constitution, he is bound by every consideration which can influence the human mind, to reject the bill. In this act, we see a rigid adherence to principle, to conscience, to unstained honor. Views of political expediency and the retention of political power, the latter one of the strongest and most tenacious passions of the human heart, vanished before the love of country, and that conscientious regard to constitutional obligations, those sacred and magnanimous impulses, which of all principles of action, next to the aspirations of piety, reflect most lustre on our nature, and exhibit the human character in direct approximation to the dignity of celestial purity and intelligence.

“Hath to his plighted faith and vow, forever firmly stood,  
And tho' it promise to its loss, yet makes that promise good.”

It would be needless to trace the causes and events which contributed—some with a nearer and conspicuous, others with a more remote and less perceptible influence—to expel the Van Buren party from power, and to elevate the present dominant party to its commanding and patriotic sphere of useful and beneficial action. Nor will I attempt to point out the principles which were discussed during the campaign, nor allude to those upon which the great political revolution turned. Suffice it to say, that an important and glorious victory was achieved, over a proud and arrogant foe, who had prostrated institutions which had been held in admiration as great superstructures of human wisdom—which years had produced—experience sanctioned. And shall we suffer this light, which has burst upon us, to be turned again into the darkness of Locofocoism, by the incantations of those who are restrained by no scruples, and are daily flooding the country with heresy and mischiefs, and who would not have passed for conjurors in the days of superstition and ignorance? The nation is not only brought into uniformity of opinion concerning the present Administration (except on the question of the Bank of the United States) by the righteous conduct of it, but have grown into a unanimity about the measures of the Government, which the most sanguine, a short time since, could hardly have anticipated.

Feeling, as every prudent man, and especially every statesman, the frequent expediency (which I might, indeed, call necessity) of mutual accommodation and concession, in the political controversies and contentions which convulse a Republic; and having learned from the wisdom of the one, whose lessons have become laws, that compromise must be amongst the elements of human intercourse, I am inclined to admit, that the political differences that now characterize the Whig party, come within the range of this salutary and healing principle. If no steps be taken to apply cordials and lenitives to

soften the asperity of party feeling, which, once kindled, concession does not find its place, and conciliation loses its properties—leading rather to exasperate than appease—all those splendid prospects, all those consolatory hopes, which were entertained by the patriots who assisted in effecting the revolution of 1840, will be lost, and gloom and despondency will again cover the land.

Happy will it be, if this spirit of compromise shall produce its proper effects both on the Executive and the Whig party; if it shall animate the former to a noble concession in the general course of his principles; and if it shall dispose the latter to view the Executive no longer with suspicion, on account of political differences of opinion on subordinate questions, but to regard him with the confidence which is due to their political association—as fellow-soldiers in the great Whig army of 1840. Unfortunate animosities and fatal suspicions have arisen between prominent members of the Whig party. If this great party will sacrifice a little for the sake of harmony, they will at least have the merit of making a fair experiment on the temper of the political church. We have no doubt but the experiment would be successful, and that the result of such an amicable effort would be a new triumph for the Administration, both in the defeat of their enemies, and in the closer union of their patriotic members; in the establishment of the great principles for which they contend, and in diffusing a spirit of charity and toleration among political brethren; so that the Opposition may at length not only be exposed, but shunned and silenced, and that those who continue to differ on minor questions of national policy, may at last agree in forbearance and mutual kindness. Is it not, therefore, highly impolitic, and injurious to the integrity of the Whig party, for one portion of it to be dealing out invectives against any other portion of its distinguished members? A blow from such hands is of fatal consequence. Homer tells us, that when Neptune exerted his celestial power—when a deity interposed—even Hector was prostrated. We may suppose, that these heathen deities, like mortal men, were partial. The heathen had favorites, and at any rate these favorites were to be supported, so as to appear invulnerable, and almost immortal. But Fabricius must not die, because Cato must live. *Vivat uterque.*

If the President has, after a full survey of all the considerations by which he has been surrounded, been compelled to act in opposition to one of the favorite measures of the Whig party, it has, no doubt, been the result of a sincere conviction of constitutional duty. That his power to veto the bill was full and legitimate, plenary and efficient—that his judgment dictated the measure, and his conscience ratified it—no man can successfully deny or reasonably doubt. Standing thus, is it not the politic duty of the party proudly to sustain him, to harmonize with him, and thus impart power and expansion to the Republican principles so dearly che-

rished by the Whig party. We must recollect that distinguished merit will ever rise superior to misrepresentation, and will draw lustre from reproach. "The vapors which gather around the rising sun, and follow it in its career, seldom fail, at the close of it, to form a magnificent theatre for its reception, and invest with variegated tints, and with a softened effulgence, the luminary which they cannot hide."

Read "makes" for "make," 13th page, 1st paragraph, 11th line.  
 Read "accusation" for "imperfection," 16th page, 3d par. 9th line.  
 Read "splendid" for "additional," 20th page, 2d par. 30th line.  
 Read "nation" for "country," 20th page, 2d par. 40th line.  
 Read "to" for "on," 21st page, 2d par. 9th line.  
 Read "his" for "their," 31st page, 2d par. 15th line.  
 Read "principal" for "principle," 33d page, 2d par. 3d line.  
 Read "they form no intricate" for "they form no an intricate," 35th page, 1st paragraph, 7th line.  
 Read "Mr. Webster's alleged connection" for "Mr. Webster's connection," 37th page, 2d paragraph, 7th line.  
 Read "charge" for "proof," 43d page, in note, 8th line.  
 Read "proscribed" for "prescribed," 45th page, 1st par. 18th line.  
 Read "inspiring and animating soul of the republic" for "the inspiring and reforming plastic seal of a republic," page 54, 2d paragraph, 1st and 2d lines.  
 Read "of" for "on," page 58, 3d par. 46th line.  
 Read "Zanesville" for "Gainesville," 60th page, 10th line of note.  
 Read "his" for "their," page 61, 5th paragraph, 3d line.  
 Read "to submit to its control" for "to submit," 63d page, 2d paragraph, 39th line.  
 Read "it condenses of" for "of it condenses," page 68, 1st paragraph, 4th line.  
 Read "action" for "order," page 71, 5th par. 45th line.  
 Read "1816" for "1814," page 74, 2d par. 16th line.  
 Read "succurrere" for "succurre," page 80, 5th par. 17th line.  
 Read "had" for "has," page 108, 1st par. 5th line.  
 Read "chalked out" for "chalked," page 108, 2d par. 13th line.  
 Read "zeal of party could" for "zeal of could," page 109, 6th par. 42d line.





OBSERVATIONS  
ON THE  
POLITICAL CHARACTER AND SERVICES  
OF  
PRESIDENT TYLER.  
AND  
HIS CABINET.

By A NATIVE OF MARYLAND

—REMEMBER THAT THE WAYS OF HEAVEN,  
THOUGH DARK, ARE JUST; THAT OFT SOME GUARDIAN POWER  
ATTENDS UNSEEN, TO SAVE THE INNOCENT!  
BUT IF HIGH HEAVEN DESIRES OUR FALL—O LET US  
FIRMLY AWAIT THE STROKE, PREPARED ALIKE  
TO LIVE OR DIE.—*Brown's Barbarossa*

WASHINGTON:  
PRINTED BY PETER FORCE.  
1841.



Handwritten text, possibly a signature or date, located in the top right corner.











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